Full Name: Biesecker, Michael

E-mail: MBiesecker@ap.org

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 6/4/2018 9:02:36 PM

To: Hewitt, James [hewitt.james@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: EPA Celebrates 500 Days of American Greatness

Now in the news release: https://www.epa.gov/newsreleases/epa-celebrates-500-days-american-greatness

Cheers, R.

Robert Daguillard Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (0)

+1 **Ex. 6** (M)

From: Hewitt, James

Sent: Monday, June 04, 2018 3:03 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov> **Cc:** Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: EPA Celebrates 500 Days of American Greatness

See updated attachments.

From: Daguillard, Robert

Sent: Monday, June 4, 2018 3:01 PM

To: Hewitt, James <hewitt.james@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: EPA Celebrates 500 Days of American Greatness

James, you'll have noticed the link is up now. I couldn't the mini-banners relating to activists and to the Paris agreement. Thanks for sending those when you have a minute.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (0)

+1 **Ex. 6** (M)

From: Hewitt, James

Sent: Monday, June 04, 2018 1:06 PM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Cc:** Abboud, Michael < <u>abboud.michael@epa.gov</u>>

Subject: RE: EPA Celebrates 500 Days of American Greatness

Attached.

From: Daguillard, Robert

Sent: Monday, June 4, 2018 12:30 PM

To: Press < Press@epa.gov>

Subject: Fwd: EPA Celebrates 500 Days of American Greatness

Can you forward the pics?

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 (M)

202-564-6618 (O)

Begin forwarded message:

From: "EPA Press Office" ress@epa.gov
Date: June 4, 2018 at 12:06:38 PM EDT

To: "Daguillard.Robert@epa.gov" < Daguillard.Robert@epa.gov > Subject: EPA Celebrates 500 Days of American Greatness

Reply-To: press@epa.gov

EPA Celebrates 500 Days of American Greatness

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty to the Auto Industry

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency

and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22 Deregulatory Actions, Which Could Save Americans More Than \$1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy

speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be

Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back

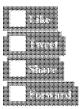
The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

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<u>Unsubscribe</u>

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 6/7/2018 2:28:11 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly

[block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt,

James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: FW: Biesecker as an "anti-Trump reporter"

From: Wemple, Erik [mailto:Erik.Wemple@washpost.com]

Sent: Thursday, June 7, 2018 10:21 AM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Biesecker as an "anti-Trump reporter"

Hi Jahan: Checking in again about this matter. Might you have a chance to talk? 202-334-9583

From: Wemple, Erik

Sent: Wednesday, June 06, 2018 5:21 PM
To: 'Wilcox, Jahan' < wilcox, jahan@epa.gov>
Subject: Biesecker as an "anti-Trump reporter"

Hi Jahan: I have learned that you called Michael Biesecker an "anti-Trump reporter" in an email over the weekend and that people know he's a "dishonest reporter."

On what basis did you make those allegations – is it mainly the Houston thing and the correction over the meeting?

Thanks for any assistance here.

Message

From: Block, Molly [block.molly@epa.gov]

Sent: 5/29/2018 6:13:05 PM

To: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov];

Hewitt, James [hewitt.james@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: Superfund Task Force

Attachments: ATT00001.txt

Here's what Abboud sent Corbin/E&E on Friday:

Hey Corbin below you can find our on the record quote about Steven Cook's ethics training regarding any previous work. Also on background you can find Steven's title. This should help answer you inquiry. Have a good weekend!

On-the-record: "All EPA employees receive ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here. Steven Cook is no different." - EPA spokesman

On background: Steven Cook's formal title: Superfund Task Force Chair and OLEM Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, May 29, 2018 2:11 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press <Press@epa.gov>
Subject: Superfund Task Force

Lincoln,

Can you confirm the reports by Bloomberg and E&E that Steven Cook is taking over the Superfund Task Force following Kell Kelly's departure? Is there a statement?

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck

Washington, D.C. 20005-4076

1100 13 St. NW, Suite 700

Public Key

T 202-641-9445 M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population reads, sees or hears news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Hewitt, James [hewitt.james@epa.gov]

Sent: 6/4/2018 1:47:26 PM

To: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Sorry if pictures aren't showing up on outlook—be sure to check on your phone.

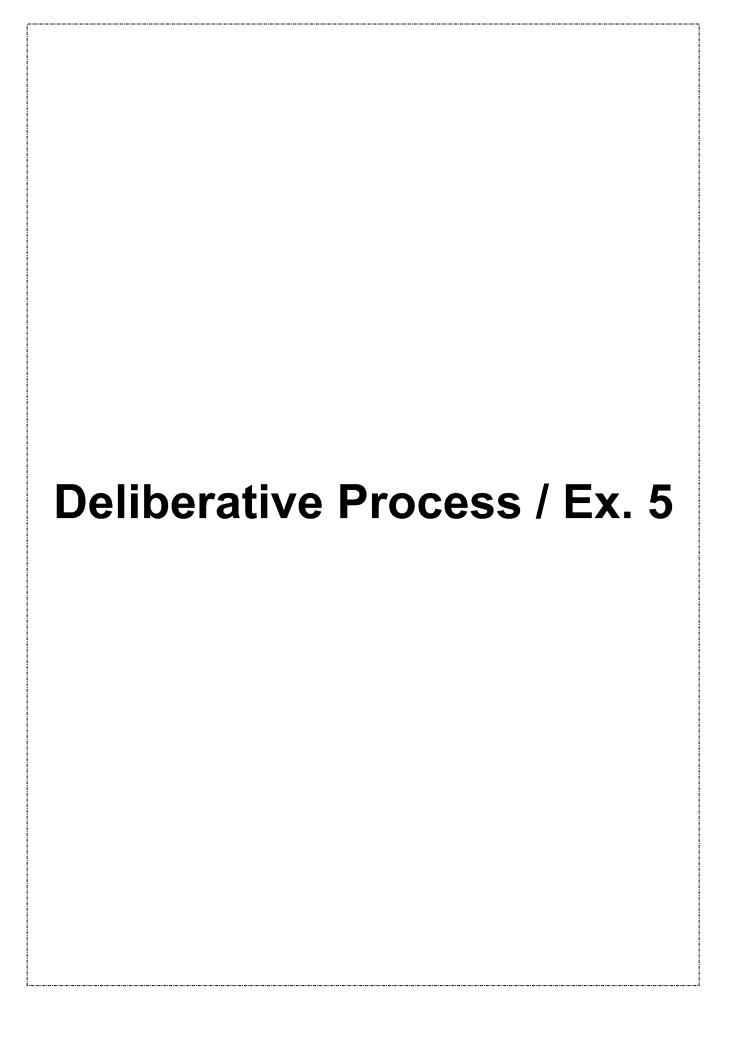
From: EPA Press Office [mailto:press=epa.gov@cmail20.com] On Behalf Of EPA Press Office

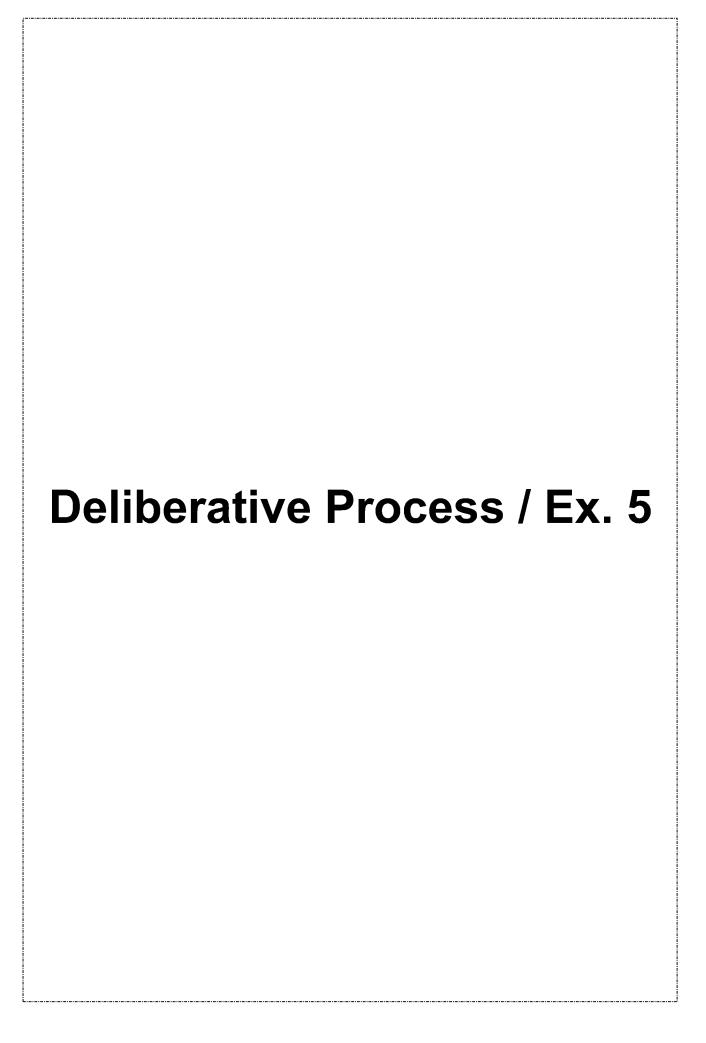
Sent: Monday, June 4, 2018 9:46 AM

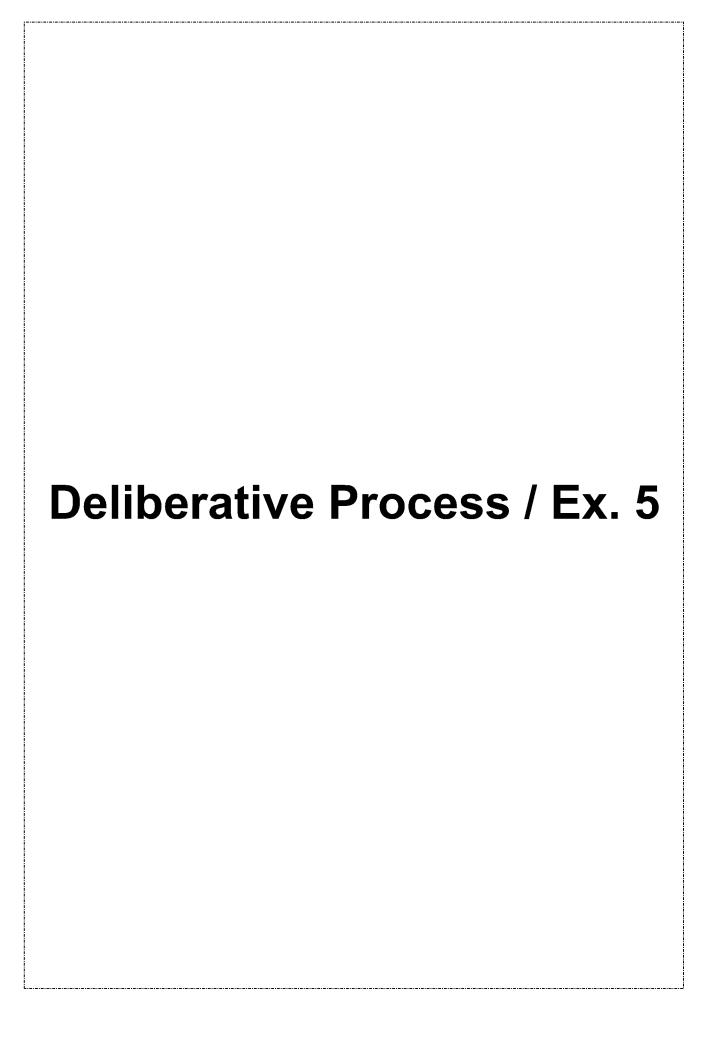
To: Hewitt, James <hewitt.james@epa.gov>

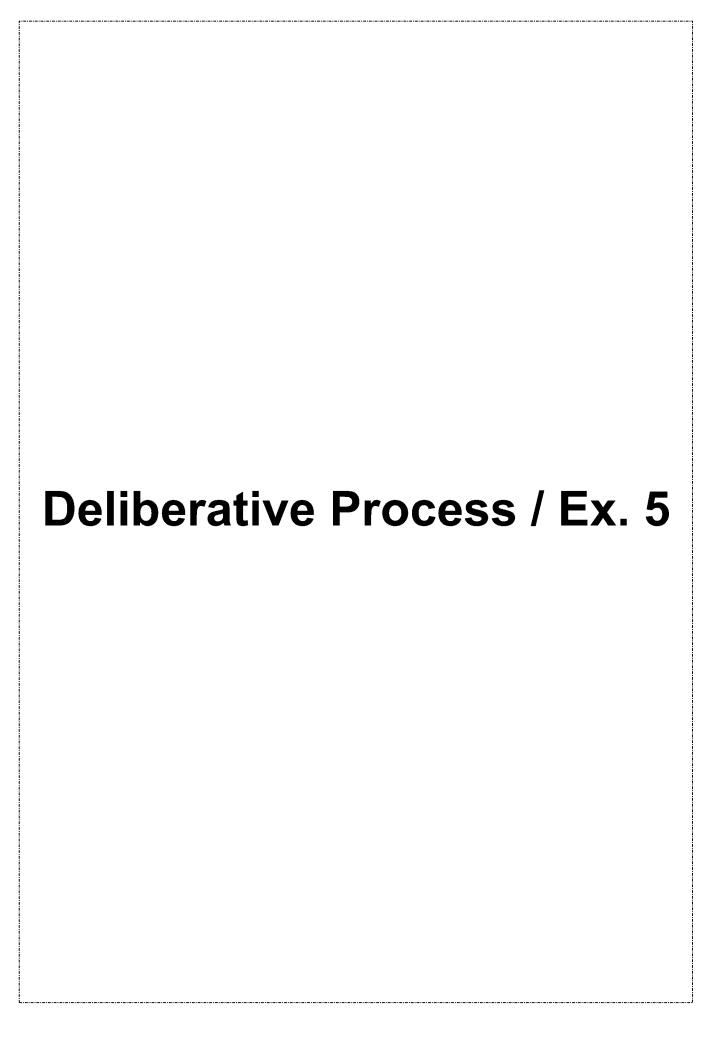
Subject: EPA Celebrates 500 Days of American Greatness - Preview

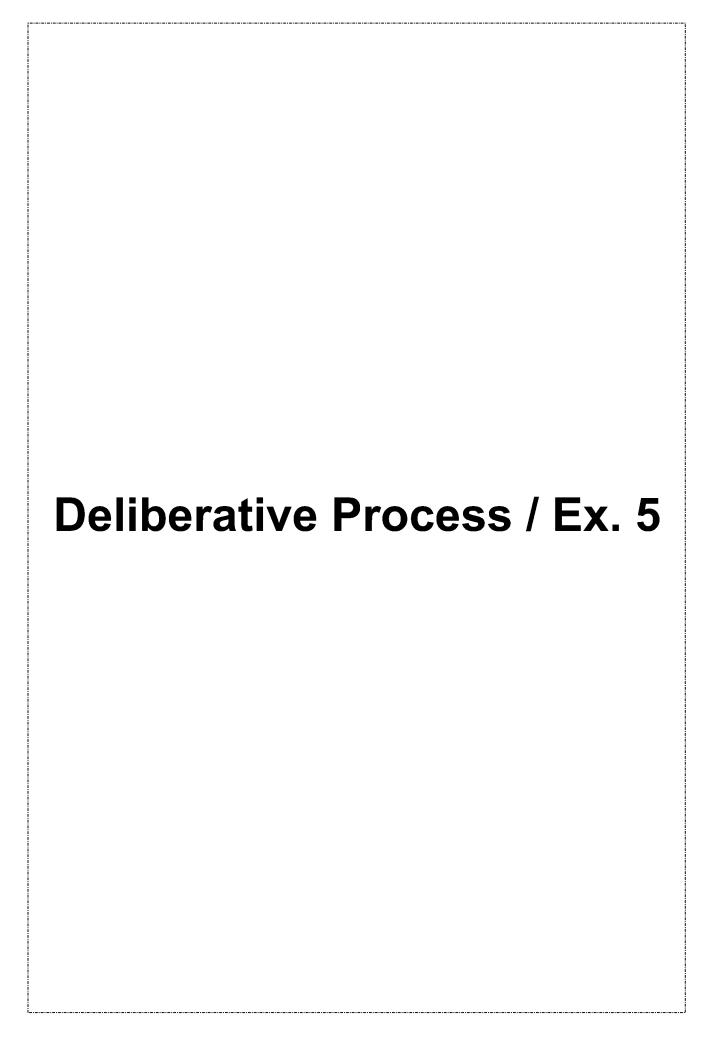
Deliberative Process / Ex. 5











Deliberative Process / Ex. 5



U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004 State

Faces

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Message

From: Agarwal, Ilena [agarwal.ilena@epa.gov]

Sent: 10/16/2018 7:48:22 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]

CC: AO OPA Media Relations [AO_OPA_Media_Relations@epa.gov]

Subject: Highlights 10/16/18

EPA Stories:

CBS: Sidelined Children's Health Official Says EPA Inaction Means 'Kids Are Disposable'

(CBS News) — Making sure children are protected from environmental toxins has been Dr. Ruth Etzel's job at the Environmental Protection Agency. She's the agency's top pediatric expert – the author of textbooks and policy handbooks on children's environmental health. As director of the Office of Children's Health Protection (OCHP), it was her job to determine the impacts of regulations on children. "I often think of the Office of Children's Health as the conscience of EPA, because, you know, we're kind of nagging at them: 'Is this okay for children? Are you sure this is okay for children?'" she told correspondent Anna Werner. But from the beginning of the Trump administration, Dr. Etzel says it seemed those above her no longer wanted her advice. "Our message is no longer welcome. The message that children are not little adults and they need special protections is not welcome," she said. Her monthly meetings to advise the EPA administrator were abruptly halted. "So, you had no one-on-one meetings with Scott Pruitt, and you had no one-on-one meetings with Andrew Wheeler? Not one?" asked Werner. "Not one."

Chicago Tribune: More radon testing to begin this fall in East Aurora school buildings; no immediate health concerns, officials say

Eight East Aurora School District buildings that reported above-normal radon levels will undergo long-term testing to determine if the gas levels detected are a concern. The follow-up radon testing will take longer than the testing conducted earlier in the year, school district officials said at Monday's school board meeting. The testing would begin at the end of the month and continue through May. According to board documents, the cost for the follow-up testing is \$4,525. More than 1,600 samples from East Aurora schools and other buildings were collected during the spring and analyzed, with results publicly released this month. Radon is a colorless, odorless, radioactive gas that occurs naturally when soil and rock break down, releasing uranium. Possible health effects of radon exposure include a higher probability of developing lung cancer. Officials said there is no health concern at this time, despite some of the samples from eight East Aurora buildings coming at or above 4 picocuries per liter of air, the action level for radon under the U.S. Environmental Protection Agency. Rod Harvey, a client services director at Carnow Conibear, the company East Aurora hired to conduct the original testing, said immediate closures of classrooms or rooms would have been recommended if there were radon levels at or above 100 picocuries per liter, as recommended under EPA guidelines

CNN: Donald Trump: Climate 'will change back again'

CNN)President Donald Trump has said he doesn't believe that climate change is a hoax -- but added Sunday night that "it'll change back again." In the wake of a report from the global scientific authority on climate change warning that governments around the world must take "rapid, far-reaching and unprecedented changes in all aspects of society" to avoid disastrous levels of global warming, Trump was asked for his views on climate change during an interview on CBS's "60 Minutes." Trump replied: "I think something's happening. Something's changing and it'll change back again. I don't think it's a hoax, I think there's probably a difference. But I don't know that it's man-made." Trump's belief that climate change may not be man-made should come as no surprise -- it's reflected in many of the policies that have defined his first term. While it might be seen as progress that he's acknowledged it's not a hoax, his belief that climate change will fix itself is clear from the way his administration has rolled back many Obama-era climate change directives. Here are some of the controversial climate actions taken by the Trump administration: In 2017, Trump announced he would

withdraw the US from the 2015 Paris agreement -- the landmark accord through which countries have pledged to reduce carbon emissions -- leaving the US as the only country in the world not signed on to the deal.

Earth.com: EPA dismisses scientists overseeing air quality safety standards

When Andrew Wheeler, the acting Environmental Protection Agency (EPA) administrator, was first appointed to replace Scott Pruitt, there were concerns that Wheeler's history as a lobbyist for massive energy companies represented a conflict of interest. As a former coal lobbyist, he pushed for the termination of a bill that would have restricted coal companies from dumping waste into streams, according to the New York Times. This is just one example of Wheeler's past coming in direct contrast with the mission of the EPA since its birth in 1970 to address public concerns about pollution. It seems those concerns that Wheeler would act counter to the public's interest in regulating pollution and making public health a top priority were not unfounded. The EPA recently announced that Wheeler replaced five members of an independent review committee and disbanded two review panels that were dedicated to assessing standards for particulate matter and ozone. CNN reported that Wheeler appointed five new members to the Clean Air Scientific Advisory Committee (CASAC) and over the past year, the entire committee has been replaced with new members.

Washington Post: Media replays fake news hit on EPA even after AP correction

Despite winning a correction from the Associated Press two weeks ago over the false headline, "EPA says a little radiation may be healthy," other big media are sticking to the original story line, undermining the agency and reviving charges of an anti-Trump bias. The latest example occurred Monday when the St. Louis Post Dispatch headlined an editorial, "Attention West Lake residents: EPA says radiation is good for you." The editors later tweaked it to: "Editorial: Attention West Lake residents: Report suggests radiation is good for you," and added this correction: "This editorial has been updated to correct a headline that inaccurately attributed an assessment about low-level radiation possibly being good for humans. An independent scientist whose research was cited by the Environmental Protection Agency was responsible for the assessment, not the EPA itself." The editorial followed a CBS report that went with the initial fake anti-EPA headline and suggestion that the Trump administration was weakening radiation regulations.

Scientific American: Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable

Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable. There are several hundred people in Washington, D.C., paid with taxpayer dollars, who are not doing their jobs. This November we have the chance to do something about that because these people are members of the U.S. Congress, and in upcoming elections, they can be replaced with representatives who will live up to their responsibilities. Those responsibilities, set out by the Constitution, include oversight of the executive branch, in this case the Trump administration. That administration's agencies are supposed to craft policies based, in part, on good evidence and good science. For the past 21 months, many of them have not. Yet Congress has refused to hold them accountable. Exhibit A is the Environmental Protection Agency. Its mission, the agency says, is "to protect human health and the environment ... based on the best available scientific information." Instead the EPA has ignored scientific evidence to justify lowering power plant emissions and greenhouse gas targets; made it more difficult for people to learn about potentially dangerous chemicals in their communities; replaced independent scientists on advisory boards with people connected to businesses the agency is supposed to regulate; and tried to make it harder to use science as a basis for regulations to protect human health. During all of this, Congress has done next to nothing.

The Intercept: TED CRUZ'S PRESSURE ON THE EPA HELPED CREATE A HUGE WINDFALL FOR HIS BIGGEST CORPORATE CAMPAIGN DONOR

TEXAS-BASED REFINERY GIANT Valero Energy is the largest publicly traded corporate supporter of Texas Republican Sen. Ted Cruz's re-election bid. Valero and its senior executives have poured at least \$116,500 into Cruz's campaign coffers this cycle. Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure that has led to hundreds of millions of dollars in savings for Valero. Now, the company's political investment in Cruz appears be paying off. Over the last year, Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure

that has led to hundreds of millions of dollars in savings for Valero. The fortuitous turn for Valero involves an EPA program created in 2005 that mandates the production of biofuels. In order to track compliance with the Renewable Fuel Standard, each batch of ethanol or biodiesel is labeled through what are known as "Renewable Identification Numbers," or RINs. In order to comply with the mandate, companies may blend biofuels or purchase RINs on the marketplace. But the increasing compliance costs have angered the traditional oil industry, which has complained that the original policy is outdated and overly burdensome. Valero is among the oil refinery firms that lack adequate facilities to blend biofuels, forcing the company to purchase RINs from the marketplace, thus making it more reliant than others on the market price of the tax credit.

National Stories:

Trump Says Saudi Prince Again Denies Knowledge of Khashoggi's Fate

Secretary of State Mike Pompeo met with Crown Prince Mohammad bin Salman to discuss the disappearance of the Saudi journalist Jamal Khashoggi.

BEIRUT, Lebanon — President Trump said on Tuesday that Saudi Arabia's crown prince had again denied any knowledge of the fate of a Saudi dissident journalist, but would expand an investigation into his disappearance and suspected killing two weeks ago. "Answers will be forthcoming shortly," Mr. Trump said on Twitter, relaying that he had spoken with Crown Prince Mohammed bin Salman on a phone call that also included Secretary of State Mike Pompeo, who is meeting with the kingdom's rulers in Riyadh, the Saudi capital. Prince Mohammed, Mr. Trump said, "totally denied any knowledge of what took place in their Turkish Consulate." The prince "has already started, and will rapidly expand, a full and complete investigation into this matter," the president said.

Mr. Pompeo met with King Salman of Saudi Arabia, the crown prince and other top officials in Riyadh to discuss the disappearance of Jamal Khashoggi, who Turkish officials say was killed and dismembered after entering the Saudi Consulate in Istanbul on Oct. 2.

Death toll from Hurricane Michael rises to 12 in hard-hit Bay County, Florida

Drone aerial video from Mexico Beach, Florida shows a stretch of the town with almost every structure no longer standing. There was just one confirmed death so far in Mexico Beach, which Hurricane Michael nearly wiped off the map. (Oct. 16) Almost a week after Hurricane Michael smashed into the Florida Panhandle with winds of 155 mph, authorities Tuesday reported that 12 people have been found dead in Bay County, the hardest-hit area that includes Panama City and Mexico Beach. This announcement from Bay County Sheriff Tommy Ford will likely increase the storm's national death total well above 20 people. In the Florida Panhandle, getting a concrete number of fatalities is difficult because of the constant search and rescue efforts, spotty cell reception and overall rapid pace of recovery efforts. Prior to Tuesday morning, the death toll stood at eight in Florida, three in North Carolina, one in Georgia and six in Virginia, for a total of 18 at that time. At least two of the fatalities were in the small beach town of Mexico Beach, which was nearly destroyed as Michael roared through the region last Wednesday.

CBS: Sidelined Children's Health Official Says EPA Inaction Means 'Kids Are Disposable'

October 15, 2018 at 11:00 pm

(CBS News) — Making sure children are protected from environmental toxins has been Dr. Ruth Etzel's job at the Environmental Protection Agency. She's the agency's top pediatric expert – the author of textbooks and policy handbooks on children's environmental health. As director of the Office of Children's Health Protection (OCHP), it was her job to determine the impacts of regulations on children.

"I often think of the Office of Children's Health as the conscience of EPA, because, you know, we're kind of nagging at them: 'Is this okay for children? Are you sure this is okay for children?" she told correspondent Anna Werner.

But from the beginning of the Trump administration, Dr. Etzel says it seemed those above her no longer wanted her advice. "Our message is no longer welcome. The message that children are not little adults and they need special protections is not welcome," she said.

Her monthly meetings to advise the EPA administrator were abruptly halted.

"So, you had no one-on-one meetings with Scott Pruitt, and you had no one-on-one meetings with Andrew Wheeler? Not one?" asked Werner.

"Not one."

And, she says, a national strategy to remove lead from children's environments – launched after the Flint, Michigan water crisis – stalled, with one official brought in by the new administration telling her that anything involving new regulation "wouldn't fly."

"My sense is that the government has absolutely no intention of taking any action toward seriously changing lead in children's environments," Dr. Etzel said.

Werner asked, "What does that mean for the kids?"

"It basically means that our kids will continue to be poisoned," Dr. Etzel replied. "It basically means that kids are disposable, they don't matter."

But through it all, she says, she kept pushing, until about three weeks ago, when an official came into her office: "My boss, who's the deputy chief of staff, walked in and handed me a piece of paper and said, 'I'm putting you on administrative leave.' And I almost fell off of my chair. I said, 'What's this about?' And she wouldn't say."

"Did you have any idea what was happening or why it was happening?" Werner asked.

"None whatsoever."

"Did you have any warning?"

"No. No. Nothing."

Health and environmental experts who know Dr. Etzel were shocked and stunned over her being put on leave. In a letter to EPA, over 120 environmental and health organizations express their great concern, saying "by placing Dr. Etzel on leave, the EPA has sent a signal that children's health is not a priority for the agency."

So, at a meeting last week, Werner approached acting deputy chief of staff Helena Wooden-Aguilar, the person Dr. Etzel says came into her office that day.

"Why was she not told the reasons why she was put on leave?" Werner asked.

"Unfortunately, I can't comment on that," Wooden-Aguilar responded.

So, Werner asked her boss, chief of operations Henry Darwin, the man right under administrator Andrew Wheeler.

"So, it's really inappropriate for me to talk about any personnel-related issues," Darwin said.

"Okay, but why is Dr. Etzel on administrative leave?"

"Like I just said, it's very inappropriate for me to talk about personnel issues."

"But shouldn't she have been told why she was put on administrative leave?"

"You want me to say it again? I really can't comment on personnel-related issues," Darwin said.

As for Dr. Etzel? After three weeks on paid leave, she says it's time to speak out.

"This is totally wrong, and the only people that I really report to are mothers and fathers and communities in the United States," Dr. Etzel said. "And if EPA won't let me tell about how children are being poisoned, I'll just tell the mothers and fathers directly. I have that right, whether or not EPA wants me on their staff."

Werner asked, "What if they come up later and say, 'Well, you did these things wrong?"

"If I did, then I'll say, 'Okay.' If I didn't, then I'll say I didn't. You know? But I don't know what the allegation is, so it's very hard to know, but basically I'm a straight shooter, I'm transparent. So if I make a mistake, I own it."

The EPA referred CBS News to a statement from chief of staff Ryan Jackson, who said that Dr. Etzel "was placed on leave to give the agency the opportunity to review allegations about the director's leadership of the office."

But Dr. Etzel tells us she has never been made aware of any allegations.

The EPA insists it is committed to protecting children and maintains that Dr. Etzel's removal won't affect its work.

In a statement to CBS News, EPA Chief of Staff Ryan Jackson said,

"Although EPA does not customarily comment on personnel matters, due to circulating misinformation, the Director of EPA's Office of Children's Health Protection was placed on leave to give the Agency the opportunity to review allegations about the Director's leadership of the office."

A spokesperson for the Office of Children's Heath Protection also issued a statement:

"Children's health is and has always been a top priority for the Trump Administration and the EPA in particular is focused on reducing lead exposure in schools, providing funds for a cleaner school bus fleet, and cleaning up toxic sites so that children have safe environments to learn and play. These are just a few of the dozens of objectives the EPA's Office of Children's Health will continue work on during this administration."

The EPA also provided press releases (1, 2, 3) asserting the agency's commitment to protecting children's health.

After this story aired Monday morning, EPA spokesman John Konkus sent the following updated statement:

"Dr. Etzel is currently on investigative leave because of serious reports made against her by staff regarding her ability to effectively lead the Office of Children's Health. The kinds of allegations that have been raised regarding Dr. Etzel's conduct are very concerning and prompted EPA to take action. Her attempt to use the press to distract from the allegations about her personal conduct is completely inappropriate. Any link that Dr. Etzel is attempting to draw between her personal situation and the mission of the Office of Children's Health is an attempt at misdirection. EPA is 100% committed to protecting children's health and will do everything in its power to ensure that the Office has competent leadership."

In response, Dr. Ruth Etzel wrote the following:

"This is false. I want to respond to the EPA spokesperson's allegations about me. I have nothing to hide. For the years 2016 and 2017 I was given 'Commendable' performance ratings from my EPA supervisors. In April of 2018 I had a mid-year performance review with the Acting Deputy Chief of Staff and she brought no problems to my attention. EPA gave me a \$2,200 cash award in August of 2018 for my leadership on drafting the Federal Strategy to Reduce Childhood Lead Exposures and Associated Health Impacts.

My end-of-year performance review was scheduled to take place this month but instead of doing a performance review EPA unexpectedly placed me on administrative leave. The federal government has well-established procedures to handle employee complaints. The specific complaint must be brought to the attention of the individual within a clearly specified timeframe so that she has the opportunity to respond. My EPA supervisors have not brought any complaint to my attention.

For the past 5 months, the EPA leadership appeared to be desperate to find something that I had done wrong. They tormented my travel coordinator and quizzed the person who handles our grants. Apparently they could not find anything so EPA put me on paid leave for no reason. Now, EPA is slandering me in the press, because I am telling the public the truth."

The Intercept: TED CRUZ'S PRESSURE ON THE EPA HELPED CREATE A HUGE WINDFALL FOR HIS BIGGEST CORPORATE CAMPAIGN DONOR

https://theintercept.com/2018/10/16/ted-cruz-campaign-donor-valero-energy-rins/ Lee Fang- October 16 2018, 8:15 a.m.

TEXAS-BASED REFINERY GIANT Valero Energy is the largest publicly traded corporate supporter of Texas Republican Sen. Ted Cruz's re-election bid. Valero and its senior executives have poured at least \$116,500 into Cruz's campaign coffers this cycle.

Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure that has led to hundreds of millions of dollars in savings for Valero.

Now, the company's political investment in Cruz appears be paying off. Over the the last year, Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure that has led to hundreds of millions of dollars in savings for Valero.

The fortuitous turn for Valero involves an EPA program created in 2005 that mandates the production of biofuels. In order to track compliance with the Renewable Fuel Standard, each batch of ethanol or biodiesel is labeled through what are known as "Renewable Identification Numbers," or RINs. In order to comply with the mandate, companies may blend biofuels or purchase RINs on the marketplace. But the increasing compliance costs have angered the traditional oil industry, which has complained that the original policy is outdated and overly burdensome.

Valero is among the oil refinery firms that lack adequate facilities to blend biofuels, forcing the company to purchase RINs from the marketplace, thus making it more reliant than others on the market price of the tax credit.

Cruz, in turn, repeatedly lobbied the EPA to lower the cost of RINs. Last December, the senator asked the EPA to cap the biofuel credits at 10 cents, well below the market rate of 70 cents per RIN credit last year. He also met personally with President Donald Trump over the issue. The administration has awarded exemptions to the renewable fuel mandate, and allowed RINs to be awarded to fuel exports. The sustained advocacy against the program has spooked investors, driving down the price of the credits.

There are winners and losers with lower RIN prices: Gas stations, ethanol producers, and oil refineries that have invested in biofuel production may lose out. Critics of the program argue that ethanol is not the most efficient renewable energy and that farmland should be primarily used for food production, not fuel. But the biggest winners of crashing RIN prices are overwhelmingly oil companies, and Valero — amid major donations to Cruz's campaign — is reaping a financial windfall. Neither Valero nor Cruz's office responded to a request for comment.

In recent statements to investors, Valero Energy projected that the plummeting costs of RIN renewable energy credits saved the firm \$124 million in this year's second quarter. The company projects continued savings from the falling price of the energy credits, which have cost the firm as much as \$750 million annually in previous years.

Valero Energy poured resources into helping elect Cruz. In July, the company gave \$100,000 to Texans Are, the pro-Cruz Super PAC that is now battering his Democratic opponent, state Rep. Beto O'Rourke, D-El Paso. The company has also donated another \$4,000 to the Cruz campaign through its PAC and executives at the firm have donated as individuals.

VALERO'S LOBBYING TEAM in Washington, D.C., has long focused on the Renewable Fuel Standard, which established RINs. Disclosures show that all 18 registered lobbyists for the company listed the policy as an issue they are currently working to influence.

The policy fight over the renewable energy fuel standard, which was designed to promote the ethanol industry, has long pitted politicians from corn-producing states, such as Iowa and Nebraska, against those from oil-refining states, such as Texas and Louisiana.

Cruz has made attacking the regulations a calling card. In February, he traveled to Philadelphia to speak at a rally at Philadelphia Energy Solutions, a refinery that declared bankruptcy the previous month. At the event, Cruz claimed that the high cost of RIN credits had contributed to the failure of the firm and loss of jobs. But the bankruptcy of the refinery is far more complicated. The Pennsylvania refinery was owned by the Carlyle Group, a private equity firm that extracted a minimum of \$30 million in payments from the company every quarter, a financial strategy that slowly bled the firm.

Cruz and Valero, however, aren't the only ones hoping to change renewable energy policy. Billionaire investor Carl Icahn, who advised Trump and supported his campaign, is the majority shareholder of CVR Energy, which owns a Texas refinery that incurs high costs associated with complying with the biofuels mandate. Last year, Icahn floated a plan to shift responsibility for blending biofuels away from refineries, another strategy aimed at boosting the profitability of his company through political influence.

Cruz touted Icahn's advocacy on the biofuel tax credit as a "win-win solution" that would protect "thousands of jobs," though the impact on jobs is debatable.

Meanwhile, Valero Energy has used surging profits chiefly to reward shareholders. In January, the company spent \$2.5 billion to buy back company stock, a transfer of wealth that primarily enriched investors.

CNN: Donald Trump: Climate 'will change back again'

https://www.cnn.com/2018/10/15/politics/trump-climate-change-60-minutes/index.html

By Mark Tutton Updated 4:50 PM ET, Mon October 15, 2018

(CNN)President Donald Trump has said he doesn't believe that climate change is a hoax -- but added Sunday night that "it'll change back again."

In the wake of a report from the global scientific authority on climate change warning that governments around the world must take "rapid, far-reaching and unprecedented changes in all aspects of society" to avoid disastrous levels of global warming, Trump was asked for his views on climate change during an interview on CBS's "60 Minutes."

Trump replied: "I think something's happening. Something's changing and it'll change back again. I don't think it's a hoax, I think there's probably a difference. But I don't know that it's man-made."

Rolling back climate regulations

Trump's belief that climate change may not be man-made should come as no surprise -- it's reflected in many of the policies that have defined his first term. While it might be seen as progress that he's acknowledged it's not a hoax, his belief that climate change will fix itself is clear from the way his administration has rolled back many Obama-era climate change directives.

Here are some of the controversial climate actions taken by the Trump administration:

In 2017, Trump announced he would withdraw the US from the 2015 Paris agreement -- the landmark accord through which countries have pledged to reduce carbon emissions -- leaving the US as the only country in the world not signed on to the deal.

In August, the administration announced plans to freeze Obama-era greenhouse gas emissions standards for automobiles. It also proposed withdrawing California's Clean Air Act pre-emption waiver, which lets the state set its own emission standards. California and about a dozen states that follow its rules account for about a third of all the passenger vehicles sold in the United States.

In September, the Environmental Protection Agency (EPA) released a proposal that would relax requirements from the Obama-era on how energy companies monitor and repair methane leaks.

The EPA wants to roll back the Obama-era Clean Power Plan, which had a goal of cutting the country's carbon emissions by a third by 2030, compared with 2005 levels. The EPA's proposed Affordable Clean Energy Rule would devolve regulation of coal-fired power plants back to the state level, which is expected to boost the coal industry and increase US carbon emissions.

Trump signed an executive order in 2017 lifting a moratorium on new coal leasing on federal lands, which was put in place by the Obama administration. Environmentalists had long criticized such leasing, saying coal companies paid so little for their leases that taxpayers were effectively subsidizing coal production.

Trump has said often climate change isn't real 01:36

In 2017, Trump signed an executive order curbing the government's enforcement of climate regulations, saying they harmed American businesses. The order rescinded the 2013 Climate Action Plan, which focused on cutting carbon emissions, preparing infrastructure for the impact of climate change and making the US a leader in combating climate change. He also rescinded an Obama executive order that created a Council on Climate Preparedness and Resilience, charged with preparing the US for the impact of climate change.

A provision in the 2017 tax overhaul bill legislation opened up Alaska's Arctic National Wildlife Refuge to oil and gas drilling, and at the start of 2018, the Interior Department announced it was considering plans to permit drilling in nearly all US waters.

Last week's UN Intergovernmental Panel on Climate Change (IPCC), report said that based on current levels of greenhouse gas emissions, the planet will reach 1.5 degrees Celsius (2.7 degrees Fahrenheit) above pre-industrial levels by as early as 2030, precipitating the risk of extreme drought, wildfires, floods and food shortages for hundreds of millions of people.

NASA says that "97 percent or more" of climate scientists agree that climate-warming trends over the past century are very likely due to human activities, and most of the leading scientific organizations worldwide have issued public statements endorsing this position.

Washington Post: Media replays fake news hit on EPA even after AP correction

https://www.washingtonexaminer.com/washington-secrets/media-replays-fake-news-hit-on-epa-even-after-ap-correction

by Paul Bedard-October 16, 2018 12:52 PM

Despite winning a correction from the Associated Press two weeks ago over the false headline, "EPA says a little radiation may be healthy," other big media are sticking to the original story line, undermining the agency and reviving charges of an anti-Trump bias.

The latest example occurred Monday when the St. Louis Post Dispatch headlined an editorial, "Attention West Lake residents: EPA says radiation is good for you."

The editors later tweaked it to: "Editorial: Attention West Lake residents: Report suggests radiation is good for you," and added this correction: "This editorial has been updated to correct a headline that inaccurately attributed an assessment about low-level radiation possibly being good for humans. An independent scientist whose research was cited by the Environmental Protection Agency was responsible for the assessment, not the EPA itself."

The editorial followed a CBS report that went with the initial fake anti-EPA headline and suggestion that the Trump administration was weakening radiation regulations.

In its criticism of the initial AP report on Oct. 3, the EPA urged news outlets, "If you used AP's inaccurate reporting from October 2nd on EPA's radiation standards you should want to immediately correct your stories to stop the spread of alarming misinformation."

Nonetheless, the EPA told Secrets, the "alarming misinformation the Associated Press wrote is still being cited by media outlets and stoking unnecessary concern regarding EPA's actions."

The media's refusal to acknowledge the AP's initial correction, which came under EPA pressure, is causing problems in areas like St. Louis that are home to Superfund sites. In fact, in the case of St. Louis, the editorial followed a very public decision by the acting EPA Director Andrew Wheeler to begin a cleanup of the West Lake site after years of inaction by Washington.

Earth.com: EPA dismisses scientists overseeing air quality safety standards

https://www.earth.com/news/epa-dismisses-safety-standards/

By Kay Vandette-October 16, 2018

When Andrew Wheeler, the acting Environmental Protection Agency (EPA) administrator, was first appointed to replace Scott Pruitt, there were concerns that Wheeler's history as a lobbyist for massive energy companies represented a conflict of interest.

As a former coal lobbyist, he pushed for the termination of a bill that would have restricted coal companies from dumping waste into streams, according to the New York Times.

This is just one example of Wheeler's past coming in direct contrast with the mission of the EPA since its birth in 1970 to address public concerns about pollution.

It seems those concerns that Wheeler would act counter to the public's interest in regulating pollution and making public health a top priority were not unfounded.

The EPA recently announced that Wheeler replaced five members of an independent review committee and disbanded two review panels that were dedicated to assessing standards for particulate matter and ozone.

CNN reported that Wheeler appointed five new members to the Clean Air Scientific Advisory Committee (CASAC) and over the past year, the entire committee has been replaced with new members.

Review panels are a crucial part of any regulatory process, but this new announcement has some scientists concerned that CASAC will not be able to do its job properly, which is advise the EPA on regulating pollution to ensure air quality standards are kept in check.

The EPA is tasked with setting outdoor air quality standards for pollutants considered harmful to public health and the environment as part of the Clean Air Act.

According to CNN, the EPA updated its air quality standards in 2015 and will be creating new standards in 2020. The CASAC informs the EPA of the health risks associated with different pollutants and recommends air quality and pollution levels that ensure that those health risks are kept to a minimum.

The World Health Organization estimates that around 4.2 million premature deaths are linked to ambient air pollution, and air pollution increases the risks of cardiovascular and respiratory disease.

Now, with all new members and the disbanding of two other panels that examine ozone and particulate matter, there are concerns that CASAC will not make public safety as much of a priority.

"Protecting the public's health from dangerous amounts of pollutants in the air that we all breathe is the mandate of this agency," Jack Harkema, a professor of pathobiology and diagnostic investigation at Michigan State University, told CNN. "This cannot be done without careful, deliberate and knowledgeable understanding [of] this complex environmental health issue. Multidisciplinary teams of scientific experts must be free to conduct thorough peer-review of the pertinent science. Millions of lives are at stake."

Scientific American: Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable

The U.S. Congress has not protected health or the environment. Time to make it step up

https://www.scientificamerican.com/article/voters-need-to-elect-a-congress-that-will-hold-the-executive-branch-accountable/

By THE EDITORS | October 16, 2018

Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable

There are several hundred people in Washington, D.C., paid with taxpayer dollars, who are not doing their jobs. This November we have the chance to do something about that because these people are members of the U.S. Congress, and in upcoming elections, they can be replaced with representatives who will live up to their responsibilities.

Those responsibilities, set out by the Constitution, include oversight of the executive branch, in this case the Trump administration. That administration's agencies are supposed to craft policies based, in part, on good evidence and good science. For the past 21 months, many of them have not. Yet Congress has refused to hold them accountable.

Exhibit A is the Environmental Protection Agency. Its mission, the agency says, is "to protect human health and the environment ... based on the best available scientific information." Instead the EPA has ignored scientific evidence to justify lowering power plant emissions and greenhouse gas targets; made it more difficult for people to learn about potentially dangerous chemicals in their communities; replaced independent scientists on advisory boards with people connected to businesses the agency is supposed to regulate; and tried to make it harder to use science as a basis for regulations to protect human health.

During all of this, Congress has done next to nothing.

Consider what happened this past spring, when EPA director Scott Pruitt, who has since resigned amid a dozen ethics investigations, proposed that no research could be used to form environmental policy unless all data connected to it were publicly available. He said this proposed rule would ensure transparency. It was really a transparent effort to ignore science.

Specifically, it would ignore research that links industrial pollution to human health. These studies include confidential patient data, such as names, addresses, birthdays and health problems—data that were only provided by patients under a guarantee of privacy. The Six Cities study, begun in the 1970s, was the first research to show that particulate matter in the air hurts and kills people. It has been replicated several times. But because its publications do not include all private patient data, the study would be ignored by the EPA when it considers permissible pollution levels. The World Health Organization estimates that this kind of pollution, largely from minute particulates, kills three million people worldwide every year. For these reasons, the rule has been condemned by every major health and science group.

There were two congressional hearings involving the EPA after this rule was proposed. The House Committee on Energy and Commerce's environmental subcommittee interviewed Pruitt, starting off with the chair, Republican Representative John Shimkus of Illinois, stating he was "generally pleased" with what the agency was doing. The senior minority member, Democratic Representative Paul Tonko of New York, did voice concerns about science, but the focus of the hearing remained elsewhere. In the Senate, an appropriations subcommittee gave Pruitt a much tougher time on his personal ethics but also spent almost no effort on science.

Pruitt has departed, but there is no reason to think that his antiscience approach has gone with him. The health studies rule is still under active consideration. Further, the EPA announced looser power plant standards this August despite admitting, in its own document, that the extra pollution would lead to 1,400 additional deaths in the U.S. each year.

Similar evidence-free approaches have taken hold at the Department of the Interior, which is scuttling a wildfire-fighting science program whose discoveries help firefighters save lives by forecasting the direction of infernos. The Department of Energy has stopped a set of new efficiency standards for gas furnaces and other appliances. Congress has been quiet.

Congressional committees work by majority rule, so if the Republicans in the current majority do not want to hold hearings or use their control over agency budgets to compel changes, there are none. But the American people can make a change. The entire House of Representatives and one third of the Senate are up for reelection right now (except for those who are retiring). We can, with our votes, make them do their jobs.

Chicago Tribune: More radon testing to begin this fall in East Aurora school buildings; no immediate health concerns, officials say

http://www.chicagotribune.com/suburbs/aurora-beacon-news/news/ct-abn-east-aurora-radon-testing-update-st-1017-story.html

Rafael Guerrero-October 16, 2018

Eight East Aurora School District buildings that reported above-normal radon levels will undergo long-term testing to determine if the gas levels detected are a concern.

The follow-up radon testing will take longer than the testing conducted earlier in the year, school district officials said at Monday's school board meeting. The testing would begin at the end of the month and continue through May. According to board documents, the cost for the follow-up testing is \$4,525.

More than 1,600 samples from East Aurora schools and other buildings were collected during the spring and analyzed, with results publicly released this month.

Radon is a colorless, odorless, radioactive gas that occurs naturally when soil and rock break down, releasing uranium. Possible health effects of radon exposure include a higher probability of developing lung cancer.

Officials said there is no health concern at this time, despite some of the samples from eight East Aurora buildings coming at or above 4 picocuries per liter of air, the action level for radon under the U.S. Environmental Protection Agency. Rod Harvey, a client services director at Carnow Conibear, the company East Aurora hired to conduct the original testing, said immediate closures of classrooms or rooms would have been recommended if there were radon levels at or above 100 picocuries per liter, as recommended under EPA guidelines.

None of the samples collected at East Aurora approached 100 picocuries per liter. The highest reported radon level was collected in a storage room at Waldo Middle School, at over 21 picocuries per liter of air.

Harvey said mitigation resulting from above-normal radon levels does not usually happen based on short-term testing because levels can fluctuate over the 2-4 days of testing.

"Long-term testing is several months. You take that average (radon level over time) — daily average, weekly average, monthly average — and find what the levels are," he said.

District officials defended the radon testing, calling it a proactive approach. There are no federal or state mandates requiring radon testing, meaning schools and school districts can skip testing altogether. Board members hoped families took East Aurora's approach and have their homes tested. Kane County Health can provide free testing kits to some families.

"You should also be looking at your homes to protect yourself," said board member Dan Barreiro.

According to Kane County, the average radon level countywide is at 5 picocuries per liter, above the EPA action level. The average radon level in the zip code representing East Aurora School District is at 4.6 picocuries per liter, according to Kane County Health.

Trump Says Saudi Prince Again Denies Knowledge of Khashoggi's Fate

Secretary of State Mike Pompeo met with Crown Prince Mohammad bin Salman to discuss the disappearance of the Saudi journalist Jamal Khashoggi. Published OnOct. 16, 2018CreditCreditImage by Pool photo by Leah Mills

By Ben Hubbard and Daniel Victor- Oct. 16, 2018

BEIRUT, Lebanon — President Trump said on Tuesday that Saudi Arabia's crown prince had again denied any knowledge of the fate of a Saudi dissident journalist, but would expand an investigation into his disappearance and suspected killing two weeks ago.

"Answers will be forthcoming shortly," Mr. Trump said on Twitter, relaying that he had spoken with Crown Prince Mohammed bin Salman on a phone call that also included Secretary of State Mike Pompeo, who is meeting with the kingdom's rulers in Riyadh, the Saudi capital.

Prince Mohammed, Mr. Trump said, "totally denied any knowledge of what took place in their Turkish Consulate."

The prince "has already started, and will rapidly expand, a full and complete investigation into this matter," the president said.

Mr. Pompeo met with King Salman of Saudi Arabia, the crown prince and other top officials in Riyadh to discuss the disappearance of Jamal Khashoggi, who Turkish officials say was killed and dismembered after entering the Saudi Consulate in Istanbul on Oct. 2.

Mr. Khashoggi lived in the United States; his 60th birthday was on Saturday. His disappearance has heightened tension between Saudi Arabia and both Turkey and the United States, while severely tarnishing the reputation of the kingdom and its powerful crown prince.

Turkey's president, Recep Tayyip Erdogan, told reporters in Ankara on Tuesday that investigators who searched the consulate on Monday and Tuesday were looking into "toxic materials, and those materials being removed by painting them over." Turkish news outlets, citing unnamed sources, have reported that Mr. Khashoggi was drugged, and that parts of the consulate and the nearby consul's residence were repainted after the journalist's disappearance.

Later in the day, the Saudi consul, Mohammed al-Otaibi, left the country, the Turkish Foreign Ministry said. Mr. Pompeo is expected to travel to Ankara, the Turkish capital, on Wednesday.

Protesters holding pictures of the missing journalist Jamal Khashoggi outside the Saudi Consulate in Istanbul this month.CreditOzan Kose/Agence France-Presse — Getty Images

Mr. Trump has vowed "severe punishment" if a Saudi hand is confirmed in Mr. Khashoggi's killing, but has said he does not want the case to affect arms sales that create American jobs.

But on Monday, a person familiar with Saudi plans said the kingdom was likely to say that the killing was an accident committed by "rogue" Saudi agents, not an assassination ordered from Riyadh. The Saudi version of the story will probably be that officials intended to interrogate and abduct Mr. Khashoggi, spiriting him back to Saudi Arabia, but that they botched the job, killing him instead, the person said, speaking on the condition of anonymity because Saudi officials had yet to talk publicly about their plans.

The reported killing has created a bipartisan uproar in Congress, shaking the foundations of the close American-Saudi relationship with calls for suspension of military sales punctuated by particularly strong rebukes of Prince Salman, who basically rules the kingdom for his father.

Senator Lindsey Graham, Republican of South Carolina and formerly a strong advocate of Saudi Arabia, has been among the most outspoken critics of the crown prince over the Khashoggi mystery, even before more facts are known. "He had this guy murdered in the consulate in Turkey," Mr. Graham <u>said Tuesday on the "Fox and Friends" news program</u>. "Expect me to ignore it? I feel used and abused."

Mr. Graham said that "I'm not going back to Saudi Arabia as long as this guy's in charge," and suggested the king remove the prince from power. "This guy is a wrecking ball," the senator said.

For two weeks, Saudi leaders, including both the king and the crown prince, have denied that their country had anything to do with Mr. Khashoggi's disappearance and have said that they did not know where he was. Saudi officials have

insisted that he left the consulate, safe and free, the same day he entered it, although they have offered no supporting evidence.

But by Monday night, it appeared that the Trump administration and Turkey's leaders were leaving room for a new version of events: Mr. Trump said after speaking with King Salman that perhaps "rogue killers" had been involved, and the Turkish authorities stopped leaking details of the investigation, which had previously appeared daily on the covers of Turkish newspapers.

At their meeting on Tuesday, Mr. Pompeo "thanked the king for his commitment to supporting a thorough, transparent and timely investigation of Jamal Khashoggi's disappearance," said Heather Nauert, a State Department spokeswoman.

Mr. Pompeo was greeted on arrival by Prince Khalid bin Salman, a son of the king and younger brother of the crown prince. Prince Khalid had been serving as the Saudi ambassador to Washington, but returned to Riyadh last week, and United States officials said he was unlikely to return.

After seeing the king, Mr. Pompeo met with Foreign Minister Adel al-Jubeir, and later with Prince Mohammed, who is regarded as the power behind the throne.

"We are strong and old allies," the crown prince said in English, in brief remarks with reporters present as his meeting with the secretary of state began. "We face our challenges together."

Prince Mohammed and Mr. Pompeo were scheduled to dine together, and the secretary was expected to fly Wednesday morning to the Turkish capital, Ankara.

The administration has refused calls to back down from lucrative weapon sales to Saudi Arabia. And Steven Mnuchin, the Treasury secretary, still plans to attend <u>a Saudi investment forum next week</u>, even as several American businesses and lobbyists have distanced themselves from the country.

On Tuesday morning, Mr. Trump <u>wrote on Twitter</u>, "For the record, I have no financial interests in Saudi Arabia." It was not clear what prompted that statement, but <u>several news organizations have noted recently</u> that the president has boasted about <u>real estate deals with wealthy Saudis</u> and once sold his yacht to a Saudi prince — ties that <u>had been reported before</u>, but that have drawn new attention because of the Khashoggi case.

Mr. Khashoggi had worked in Saudi embassies in Washington and London, and sometimes served as an unofficial spokesman for the Saudi leadership. He was considered an independent thinker, well liked by foreign journalists and diplomats.

But after Prince Mohammed began cracking down on dissenting voices at home, Mr. Khashoggi's sympathies for democracy and political Islam put him at odds with the Saudi leadership. Mr. Khashoggi moved to Virginia and contributed columns to The Washington Post, establishing himself as a rare Saudi critic of the crown prince.

A Turkish investigator working on the roof of the Saudi Consulate in Istanbul on Monday as part of an inquiry into Mr. Khashoggi's disappearance.CreditOzan Kose/Agence France-Presse — Getty Images

He was last seen entering the Saudi Consulate in Istanbul on Oct. 2 to pick up a document — certification of his divorce so that he could remarry in Turkey. He and his fiancée, Hatice Cengiz, planned to wed the next day.

The Turkish authorities have released video of him walking into the consulate, but they say there is no video of him walking out. Ms. Cengiz waited for him outside the building for hours.

Turkish officials say they have detailed evidence that Mr. Khashoggi was killed inside the consulate but have not released it publicly, and it is unclear if they have shared it with allies like the United States or Britain.

There are several possible explanations for the hesitance, ranging from mundane to opportunistic. Public release could reveal intelligence sources, like human informants or electronic surveillance. More cynically, Turkey could be seeking a deal with Saudi Arabia that would allow both sides to move on without pressing the matter.

The day of Mr. Khashoggi's disappearance, 15 Saudi officials flew into Istanbul on two private jets chartered by a company with close ties to the crown prince and the Saudi Interior Ministry, the Turks say. They say the Saudis went to the consulate, killed Mr. Khashoggi and disposed of his body, then returned to the airport the same day and left Turkey.

One of the Saudis, an autopsy specialist, entered the country with a bone saw, according to Turkish officials.

Saudi officials allowed a team of Turkish investigators to search the consulate for the first time on Monday, and the Turks spent hours inside, leaving early Tuesday morning. They were expected to enter the consulate again on Tuesday, as well as the consul's residence nearby, which the Turkish news media suggested may also have been involved in the plot.

Amid mounting international outrage over the disappearance, the United Nations human rights chief, Michelle Bachelet, said on Tuesday that the Saudi authorities should reveal all they know.

Given the gravity of the case, Saudi Arabia should set aside international conventions granting immunity to diplomats and diplomatic premises, Ms. Bachelet said, urging Turkey and Saudi Arabia to ensure "no further obstacles" were put in the way of an effective and transparent investigation.

"It seems very probable some crime has been committed," Rupert Colville, a spokesman for Ms. Bachelet, told reporters in Geneva.

Death toll from Hurricane Michael rises to 12 in hard-hit Bay County, Florida

Doyle Rice, USA TODAY Published 1:10 p.m. ET Oct. 16, 2018

Drone aerial video from Mexico Beach, Florida shows a stretch of the town with almost every structure no longer standing. There was just one confirmed death so far in Mexico Beach, which Hurricane Michael nearly wiped off the map. (Oct. 16) AP

Almost a week after Hurricane Michael smashed into the Florida Panhandle with winds of 155 mph, authorities Tuesday reported that 12 people have been found dead in Bay County, the hardest-hit area that includes Panama City and Mexico Beach.

This announcement from Bay County Sheriff Tommy Ford will likely increase the storm's national death total well above 20 people.

In the Florida Panhandle, getting a concrete number of fatalities is difficult because of the constant search and rescue efforts, spotty cell reception and overall rapid pace of recovery efforts. Prior to Tuesday morning, the death toll stood at eight in Florida, three in North Carolina, one in Georgia and six in Virginia, for a total of 18 at that time.

At least two of the fatalities were in the small beach town of Mexico Beach, which was nearly destroyed as Michael roared through the region last Wednesday.

In Bay County, authorities on Tuesday morning said that Urban Search and Rescue teams have completed 99 percent of their first "rapid" search of Bay County.

Reports Monday said six people remained missing in Bay County. That number had previously been 285, but officials think many left right before the storm hit.

Residents also received word on Monday that they could begin to return home to survey the damage.

Overall, in the Florida counties most battered by Hurricane Michael, nearly 16,000 single residences have been damaged and more than 4,000 have been destroyed.	∘d

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 6/4/2018 7:06:59 PM

To: Hewitt, James [hewitt.james@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: EPA Celebrates 500 Days of American Greatness

Thx.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Ex.6 (M)

From: Hewitt, James

Sent: Monday, June 04, 2018 3:03 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov> **Cc:** Abboud, Michael < abboud.michael@epa.gov>

Subject: RE: EPA Celebrates 500 Days of American Greatness

See updated attachments.

From: Daguillard, Robert

Sent: Monday, June 4, 2018 3:01 PM

To: Hewitt, James < hewitt.james@epa.gov <a href="mailto:Cc: Abboud, Michael hewitt.james@epa.gov <a href="mailto:cc: Abboud, Michael hewitt.james@epa.gov hewitt.james@epa.gov

Subject: RE: EPA Celebrates 500 Days of American Greatness

James, you'll have noticed the link is up now. I couldn't the mini-banners relating to activists and to the Paris agreement. Thanks for sending those when you have a minute.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Ex.6 (M)

From: Hewitt, James

Sent: Monday, June 04, 2018 1:06 PM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Cc:** Abboud, Michael < <u>abboud.michael@epa.gov</u>>

Subject: RE: EPA Celebrates 500 Days of American Greatness

Attached.

From: Daguillard, Robert

Sent: Monday, June 4, 2018 12:30 PM

To: Press < Press@epa.gov >

Subject: Fwd: EPA Celebrates 500 Days of American Greatness

Can you forward the pics?

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 (M)

202-564-6618 (O)

Begin forwarded message:

From: "EPA Press Office" ress@epa.gov>
Date: June 4, 2018 at 12:06:38 PM EDT

To: "Daguillard.Robert@epa.gov" < Daguillard.Robert@epa.gov > Subject: EPA Celebrates 500 Days of American Greatness

Reply-To: press@epa.gov

EPA Celebrates 500 Days of American Greatness

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty to the Auto Industry

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency

and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22 Deregulatory Actions, Which Could Save Americans More Than \$1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy

speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be

Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back

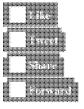
The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

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U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest. Washington, D.C. 20004



Unsubscribe

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 6/11/2018 12:56:49 PM

To: Daniell, Kelsi [daniell.kelsi@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Cory,

Preston (Katherine) [Cory.Preston@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Ford, Hayley

[ford.hayley@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Hanson, Paige

(Catherine) [hanson.catherine@epa.gov]; Block, Molly [block.molly@epa.gov]; Jackson, Ryan

[jackson.ryan@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Konkus, John [konkus.john@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Shimmin, Kaitlyn [shimmin.kaitlyn@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Wheeler, Andrew

[wheeler.andrew@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)

[yamada.richard@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]

Subject: EPA News Highlights 6.11.18
Attachments: EPA News Highlights 6.11.18.docx

EPA News Highlights 6.11.18

Western Wire: EXCLUSIVE: Pruitt Fires Back At DC In Denver Interview, Touts Regulatory Reform In West

Calling his agency's approach in the past "wrongheaded," Environmental Protection Agency Administrator Scott Pruitt fired back at Washington, D.C., rejecting the false choice between air and water quality and a growing economy in an exclusive interview with Western Wire. Pruitt also spoke before hundreds of conservative activists at the Western Conservative Summit in Denver Friday. The convention is hosted by Colorado Christian University. "The past administration had an unapologetic declared war on a sector of our economy," Pruitt said, including fossil fuels, and manufacturers but also farmers and ranchers. "That just to me is so wrongheaded." "We have done such a great job advancing air quality since the inception of the Clean Air Act while growing our GDP," Pruitt said. "Our CO2 footprint fell 20 percent from 2000 to 2014 through innovation and technology, not government mandates."

Colorado Springs Gazette: Embattled Pruitt, Sessions lead cheers for Trump at conservative summit in Denver
Controversial EPA Administrator Scott Pruitt spoke to a friendly crowd Friday night at the Western Conservative Summit,
touting President Donald Trump's accomplishments in reversing the environmental regulations imposed by the previous
administration. We are living in transformational times, Pruitt told the audience. "God places responsibility on us to

administration. We are living in transformational times, Pruitt told the audience. "God places responsibility on us to advance liberty and freedom" just as it was at the founding of the country. The EPA is doing business differently, Pruitt explained. That means undoing the Waters of the USA rules set up by the Obama administration, which he said was an effort to centralize power, not to protect water quality. "We're going to create a new definition" of waters, Pruitt said,

one based on private property ownership.

Colorado Public Radio: EPA Chief Pruitt Promotes 'Federalism' To Friendly Western Conservative Summit Crowd

EPA Administrator Scott Pruitt highlighted his agency's work to a friendly audience at the Western Conservative Summit in Denver on Friday night. Speaking to hundreds, Pruitt talked about his agency's work at the Gold King Mine and the country's other Superfund sites, stating that the sites are getting cleaned up quickly. The Associated Press reports that the EPA has delayed a report on the human health risks of wastewater draining from southwestern Colorado mines -- including Gold King. The agency said Friday it will collect more data and do more analysis after local health officials, toxicologists and others reviewed an early draft. The study was expected this spring, but the agency now says it will be fall. The study is a step in developing a cleanup plan for the Bonita Peak Mining District Superfund project, which includes includes 48 mining-related sites near Silverton.

Breitbart: Pruitt Reacts to Heckler: Left Doesn't Want to Talk About Truth, Trump's 'Results'

A lone heckler interrupted Environmental Protection Agency Administrator Scott Pruitt as he spoke at the Road to

Majority conference in Washington, D.C., on Friday. The heckler, a young woman, was quickly escorted out of the room carrying a bottle of lotion and shouting about Chick-fil-A. "Are the chicken sandwiches better at the White House mess hall or at Chick-fil-A? I really need to know," the women shouted as the crowd urged her removal and applauded as she left. Pruitt has faced relentless attacks from leftists, including those who supported the Obama EPA and the media, which tries to drum up controversy about the administrator – most recently that his staff allegedly have done errands to pick up dry cleaning and moisturizer for him.

The Brattleboro Reformer: EPA grants \$500k to WRC

On Friday, the Environmental Protection Agency awarded \$500,000 to the Windham Regional Commission to replenish its Brownfields Clean Up Revolving Loan Fund. "We have a lot of projects in the pipeline," said Susan McMahon, Associate Director at the Windham Regional Commission. She noted that WRC has seven projects that might qualify for funding. If those projects qualify, they could require more than \$1 million in loans and grants, she said. "To date, the WRC RLF has made eight grants and four loans," said McMahon. "We have another grant and loan closing soon. This all results in \$1.5 million in funds distributed." McMahon noted that while the amount of a loan or grant may not always be large, they are essential in making redevelopment possible on brownfields sites in Windham County and Bennington County. "WRC's funds contribute to the leveraging of over 22 million dollars in redevelopment funds in southern Vermont," she said.

National News Highlights 6.11.18

The Associated Press: Isolated Kim takes big gamble leaving home for Trump summit

Spare a moment, as you anticipate one of the most unusual summits in modern history, to consider North Korea's leader as he left the all-encompassing bubble of his locked-down stronghold of Pyongyang on Sunday and stepped off a jet onto Singapore soil for his planned sit-down with President Donald Trump on Tuesday. There's just no recent precedent for the gamble Kim Jong Un is taking. As far as we know, his despot father only traveled out of the country by train, and rarely at that, because of fears of assassination. Kim, up until his recent high-profile summit with South Korea's president on the southern side of their shared border, has usually hunkered down behind his vast propaganda and security services, or made short trips to autocrat-friendly China.

The Associated Press: Trump's tweets slam Canada and Trudeau anew from Singapore

President Donald Trump took more swipes at Canada and its prime minister over trade issues as he settled in for a summit with North Korea in Singapore, contending that "Fair Trade is now to be called Fool Trade if it is not Reciprocal." Trump roiled the Group of Seven meeting in Canada by first agreeing to a group statement on trade only to withdraw from it while complaining that he had been blindsided by Canadian Prime Minister Justin Trudeau's criticism of Trump's tariff threats at a summit-ending news conference. As he flew from Canada to Singapore Saturday night, Trump displayed his ire via Twitter, which he also employed to insult Trudeau as "dishonest" and "weak." The attack on a longtime ally and its leader drew sharp criticism. German Chancellor Angela Merkel, who also attended the summit, told German public television that she found Trump's tweet disavowing the G-7 statement "sobering" and "a little depressing." Merkel also said the European Union would "act" against the U.S. trade measures.

TRUMP TWEETS

Western Wire

http://westernwire.net/exclusive-pruitt-fires-back-at-dc-in-denver-interview-touts-regulatory-reform-in-west/

EXCLUSIVE: Pruitt Fires Back At DC In Denver Interview, Touts Regulatory Reform In West By Michael Sandoval, 6/8/18

Calling his agency's approach in the past "wrongheaded," Environmental Protection Agency Administrator Scott Pruitt fired back at Washington, D.C., rejecting the false choice between air and water quality and a growing economy in an exclusive interview with Western Wire.

Pruitt also spoke before hundreds of conservative activists at the Western Conservative Summit in Denver Friday. The convention is hosted by Colorado Christian University.

"The past administration had an unapologetic declared war on a sector of our economy," Pruitt said, including fossil fuels, and manufacturers but also farmers and ranchers. "That just to me is so wrongheaded."

"We have done such a great job advancing air quality since the inception of the Clean Air Act while growing our GDP," Pruitt said. "Our CO2 footprint fell 20 percent from 2000 to 2014 through innovation and technology, not government mandates."

This week, the EPA rolled out a "500 Days of American Greatness" campaign, touting its successes over the first year and a half in withdrawing from the Paris climate agreement, reducing regulations that could save Americans \$1 billion, repealing the controversial Clean Power Plan and Waters of the United States rules, and ending "sue and settle" abuses.

"The American citizen in our economy and what we've done to advance these key issues, we've done it better than anybody in the world," Pruitt said. "Our job is to tell the story. We shouldn't pick winners and losers. We shouldn't use regulatory power to engage in a weaponization of the agency."

"We're fixing that," Pruitt added.

"Washington is about putting on jerseys. You're either for the environment or against the environment. You're for jobs or against jobs. The American people deserve better than that," Pruitt said.

In addition to his speech, Pruitt spent Friday afternoon speaking with his Region 8 staff and state delegations.

"I spent some time at our Region 8 headquarters meeting with state delegations from all six states," Pruitt said, in a conversation with Region 8 Administrator Doug Benevento. The bulk of the discussions focused on air and water quality, along with Superfund efforts across the West.

"It was very constructive," Pruitt said.

EPA's Region 8 covers Colorado, Utah, Wyoming, Montana, North Dakota, and South Dakota.

"What I love about it is I've put a lot of emphasis on cooperative federalism to ensure we are interfacing with the states and actually trying to advance environmental outcomes through better use of state implementation plans," Pruitt said. He pointed to the previous administration's emphasis on enforcing federal implementation plans.

"There's been an awakening of states that are very excited about revisiting the commitment to cooperative federalism," he said. "These meetings are very important."

Working with the West rather than against it is a sea-change from the previous EPA leadership.

"I think that's missed from a Washington, D.C. perspective," Pruitt said, noting his bipartisan work with the Western Governors' Association and Democratic governors like Steve Bullock of Montana and John Hickenlooper of Colorado.

"I was there onsite, recognizing the failure of the agency," Pruitt said, referring to the Gold King Mine spill initiated by the EPA in 2015 in southwest Colorado. "[T]hey caused the spill in the Animas River and then walked away from responsibility to private property owners in Colorado, New Mexico, and Utah."

Pruitt said that now, the Western Governors' Association is a "key partner" with his agency.

On Superfund cleanups, Pruitt said that 2017 saw a three-fold increase in delisting, and even more this year. He addressed farmers and ranchers in the West by tackling the Waters of the United States rule, which designated dry river beds and other questionable areas as "waters" and therefore subject to EPA rulemaking.

"We are actually hearing from stakeholders. They say, 'WOTUS killed us, fix it,'" Pruitt said. "We ought to be talking to those that we regulate."

"The citizens across this country care about water and air quality," Pruitt said. "There are bad actors in the marketplace, and we should prosecute those bad actors. But we shouldn't start from the presumption that all industry, farmers, ranchers, don't care about the environment."

"To me what we're doing is less deregulation, and more regulatory reform. We're getting rid of the deficient rules and providing answers consistent with our authority, recognizing the role of states and private property owners," Pruitt said. "It's a glorious time to be serving."

Rulemaking and Reducing State Backlogs

Yesterday the agency announced it would explore cost-benefit reform when evaluating its regulations in and advance notice of proposed rulemaking (ANPRM), "soliciting public input on whether and how to change the way it considers costs and benefits in making regulatory decisions."

"It's just a night and day difference in the sense of how we approach these issues," Pruitt said.

"While the Obama EPA estimated the social cost of carbon to be an average of \$36 per ton of carbon dioxide emitted, this EPA calculated an average of \$5 per ton," the agency said in a statement Thursday.

The Wall Street Journal editorial board blasted the previous administration regulatory push that repeatedly underestimated costs of proposed regulatory action to push through a large slate of new rules.

"Barack Obama's Environmental Protection Agency jammed through an average of 565 new rules each year during the Obama Presidency, imposing the highest regulatory costs of any agency. It pulled off this regulatory spree in part by gaming cost-benefit analysis to downplay the consequences of its major environmental rules," the board wrote.

The EPA "gamed" the system, the WSJ argued, by introducing "social costs" and "social benefits" calculations into the deliberation. They called these interjections "scientifically imprecise" and "irrelevant" to the analysis of various regulations, like the Clean Power Plan or the Mercury and Air Toxics Standards.

Sen. John Barrasso (R-Wyo.), chairman of the Senate Environment and Public Works Committee, hailed the EPA's announcement it would revisit the way it conducts its cost-benefit estimates.

"During the Obama administration, the Environmental Protection Agency exaggerated the benefits of Washington regulations and misjudged how costly they are to the economy," said Barrasso. "Punishing regulations like the so-called 'Clean Power Plan' would have cost Wyoming's energy workers their jobs and devastated communities throughout the state. Now the Trump administration is taking important steps to make sure the agency can no longer abuse the cost-benefit analysis process."

Pruitt added that one of his priorities was moving through and approving state implementation plans on air quality and allow the states to control their environmental future.

"We've reduced that backlog by half," Pruitt said.

"It's something that further demonstrates the displacement of the states" by the previous administration, Pruitt added.

He compared the federal implementation plans enforced under the Obama administration compared to the three previous administrations, who introduced 10 times fewer plans.

"Look, that sends a message that states don't matter," Pruitt said. A cookie-cutter approach to water issues, for example, doesn't work because Utah and Minnesota have two very different situations, Pruitt said, and require different approaches.

Partnerships with the states, and governors in particular, has been a key focus in his time at the helm of the agency, he said. Instead of interagency interfacing with state departments of environmental quality and the EPA, Pruitt said, "go to the governors" and work directly with the states and not just regulators.

Green Fellows To Sue EPA

Pruitt said that following and enforcing the law, rather than creating new regulations that lacked legislative backing, was a key difference between his EPA administration and that of his predecessors.

"I'm very sanguine about our ability to defend what we do because we do something the previous administration didn't, we actually do what the statute requires," Pruitt said.

"It's 5th grade civics. When you're in the executive branch you enforce the law you don't pitch hit for Congress," Pruitt said.

According to Pruitt, the difficulties and pushback experienced by the previous administration on issues like the Clean Power Plan and Waters of the United States was self-inflicted.

"They literally made it up," Pruitt said. "That's not editorial comment, that's what the courts have said."

But pushing back against Pruitt's efforts has created a cottage industry of deep-pocketed legal fellows under the guidance of a former deputy secretary and chief operations officer at the Interior Department under both the Clinton and Obama administrations, David Hayes.

In March, Hayes, Executive Director of the State Energy and Environmental Impact Center at New York University School of Law, spoke at a Denver climate conference, touting the new law fellowship he spearheads aimed at pushing climate initiatives and a commitment to the "goals of the Paris agreement," and suing the current administration, through friendly state attorney general offices.

"Let me talk about state AGs . . . there is a tendency to think of state attorneys general as, 'whoa, I don't know if we're ready to talk to them,'" Hayes said in March. "Those guys are the law enforcement folks."

"When it comes to climate change and clean energy, they are enforcing the law in the way that I think all of us in this room want them to—at least the progressive AGs," Hayes said.

Last summer, NYU's School of Law launched the State Energy and Environmental Impact Center with Hayes at the helm. The center's mission includes providing underwritten law fellows to state attorney general offices thanks to \$6 million grant from Bloomberg Philanthropies, named after the billionaire and former New York City Mayor Michael Bloomberg.

Western Wire has reported on the fellowship, noting that New Mexico's attorney general office was among the first seven states, and first in the West, to receive the fellows, alongside Illinois, Maryland, Massachusetts, New York, Washington, and Washington, D.C. The states are all members of the 'Green 20' group of attorneys general. So far, at least 14 fellows have been placed through the NYU fellowship program.

The "special assistant attorneys general" will "fight against regulatory rollbacks," with particular attention paid to the EPA.

Pruitt was unapologetic.

"We start with the statute, and then emphasize process with stakeholders having a say," Pruitt said, pointing to the Administrative Procedures Act.

"If we do those things right, and we do it in a timely manner, which the agency has never done, we'll be fine," Pruitt said.

Clean Air Scientific Advisory Committee Looks West

Pruitt's efforts to promote scientific transparency and geographical diversity include appointing Dr. Larry Wolk and Dr. Tony Cox, both from Colorado, to the Clean Air Scientific Advisory Committee (CASAC) last fall.

Wolk, Executive Director of the Colorado Department of Public Health and Environment (CDPHE) and Chief Medical Officer for the state of Colorado, joined Cox, President of Cox Associates and an expert specializing in quantitative risk analysis, on the CASAC committee.

Gov. John Hickenlooper, a Democrat, tapped Wolk to head CDPHE in 2013.

As part of the seven-member CASAC, established under the Clean Air Act amendments of 1977, Wolk and Cox provide advisory recommendations to Pruitt on air quality and National Ambient Air Quality Standards (NAAQS), serving for three years.

Courting Controversy

"I knew coming in to this position, this has been a place with a worldview that is antithetical to everything we've been talking about," Pruitt said, including regulatory reforms and a shift in agency priorities.

Pruitt described the agency's mindset prior to his arrival as fixed in the false choice between the economy and the environment.

"It was about picking winners and losers. We can't be about job growth and environmental stewardship," Pruitt said, acknowledging his embattled position and frequent controversy. "With great change comes great opposition."

Pruitt compared today's "enhanced rhetoric"—referring to the acrimony and attacks—to that of the Reagan era.

"This is a transformative time, and we have an opportunity to get things right for decades to come," Pruitt said.

President Trump offered praise Pruitt Friday, saying his EPA chief "is doing a great job within the walls of the EPA. I mean, we're setting records."

While Trump said Pruitt is "being attacked very viciously by the press," he added that his top environmental regulator wasn't "blameless."

"He's a man of courage and he's a man of results. And he expects that from those who serve in the cabinet," Pruitt said of his boss.

Earlier in the day, Pruitt told the Faith and Freedom Coalition's annual Road To Majority conference that he believed the current administration's efforts would have a lasting impact.

"There are certain times in history that when you're living in them you recognize that what's happening is going to impact generations into the future," Pruitt said. "We must embrace, we must advance, we must make change."

"Under President Trump and Administrator Pruitt's leadership the EPA has gone from being an agency directed against Americans to agency working for Americans. As a member of the transition team, it's exciting to see many of the policy action items being implement," said Independence Institute Executive Vice President Amy Oliver Cooke, who was part of the Trump administration transition team for the agency. "The list of accomplishments from rolling back the controversial, costly Clean Power Plan to withdrawing from the Paris Climate Treaty is impressive. Administrator Pruitt has proven that the President's philosophy—that we can responsibly develop our natural resources, be great stewards of our environment, and enjoy a thriving economy—can and does work."

Colorado Springs Gazette

http://gazette.com/embattled-pruitt-sessions-lead-cheers-for-trump-at-conservative-summit-in-denver/article/1627402

Embattled Pruitt, Sessions lead cheers for Trump at conservative summit in Denver By Joey Bunch, 6/8/18

Controversial EPA Administrator Scott Pruitt spoke to a friendly crowd Friday night at the Western Conservative Summit, touting President Donald Trump's accomplishments in reversing the environmental regulations imposed by the previous administration.

We are living in transformational times, Pruitt told the audience. "God places responsibility on us to advance liberty and freedom" just as it was at the founding of the country.

The EPA is doing business differently, Pruitt explained. That means undoing the Waters of the USA rules set up by the Obama administration, which he said was an effort to centralize power, not to protect water quality. "We're going to create a new definition" of waters, Pruitt said, one based on private property ownership.

Pruitt also promoted the Trump administration's views on the Clean Power Plan, which he said declared war on fossil fuels. No agency of the federal government should ever declare war on a sector of the nation's economy, he said. No agency should declare winners and losers and favor one energy source over another. "We can be about regulatory reform and growing jobs and the economy" at the same time.

The changes have helped save business \$1 billion and produced a better outcome for the environment, Pruitt insisted. Air quality is 10 percent better under this administration, and the EPA is making great progress in cleaning up the environment, such as for Superfund sites.

Pruitt also pointed to Trump's decision to take the United States out of the Paris Climate accords, which he said took tremendous courage. "We won't agree to an agreement that puts us at a disadvantage to the rest of the world," with other countries such as China and India allowed to wait until 2030 to reduce their CO2 emissions. "We are leading the world in that regard and have nothing to be apologetic about."

This president is about putting power back in the hands of people in the states, Pruitt concluded. "I am so thankful we have a president who is a man of courage and results." Pruitt admitted he knew taking on the role at EPA would be "noisy and competitive" especially in an agency that he called "a bastion of liberalism...My greatest response is to keep going" and let people know that transformational change is happening.

Colorado Public Radio

https://www.cpr.org/news/story/epa-chief-pruitt-finds-friendly-crowd-promotes-federalism-at-western-conservative-summit

EPA Chief Pruitt Promotes 'Federalism' To Friendly Western Conservative Summit Crowd By Gracfe Hood, 6/9/18

EPA Administrator Scott Pruitt highlighted his agency's work to a friendly audience at the Western Conservative Summit in Denver on Friday night.

Speaking to hundreds, Pruitt talked about his agency's work at the Gold King Mine and the country's other Superfund sites, stating that the sites are getting cleaned up quickly.

The Associated Press reports that the EPA has delayed a report on the human health risks of wastewater draining from southwestern Colorado mines -- including Gold King.

The agency said Friday it will collect more data and do more analysis after local health officials, toxicologists and others reviewed an early draft. The study was expected this spring, but the agency now says it will be fall.

The study is a step in developing a cleanup plan for the Bonita Peak Mining District Superfund project, which includes includes 48 mining-related sites near Silverton.

One of those is the Gold King mine, where the EPA inadvertently triggered a spill of 3 million gallons of wastewater in 2015.

Pruitt also underscored recent methane and air regulation rollbacks he called too restrictive.

"Air quality issues on the West Coast are different than the southeast. We must as an agency embody that partnership, that federalism concept, to make sure we advance these principles. So we have given a rebirth to rule of law, a rebirth to process, and we've renewed our focus," said Pruitt.

Key applause lines during Pruitt's speech hit on returning rights to states. Pruitt said that the Obama administration dictated too much policy from Washington D.C.

"We're going to engage in true federalism and partnering together to improve air quality and water quality," said Pruitt. "A one-size-fits-all strategy with respect to these issues does not work."

The message of state's rights resonated with Susie Guerra from Lakewood.

"It's nice to know that we have someone who's considering taking care of individuals and keeping our lands free for individuals to use. We're so happy for that," she said.

Pruitt has been under close scrutiny for his spending and relationships with industry representatives. There are currently about a dozen federal inquiries into his spending and management. And on Friday, House Democrats formally requested that the Justice Department investigate Pruitt for potential criminal conduct.

In a letter to FBI Director Chris Wray and Justice criminal division chief John Cronan, six Democratic lawmakers with oversight of Pruitt's agency allege he repeatedly violated federal anti-corruption laws by seeking to leverage his government position for personal gain.

"I knew that it was going to be noisy and competitive," Pruitt said to the crowd, giving a nod to his critics. "In the midst of all that, the greatest response is to keep going. Keep advancing, keep persevering."

Overall the message resonated with the outside-the-beltway conservative crowd, including Western Wire Opinion Editor Matt Dempsey.

"Frankly with all the noise in Washington D.C. right now you're not hearing the policy side of what Pruitt is doing in Washington. You're hearing about the noise," said Dempsey. "Getting outside the beltway he's able to convey that message in a much more aggressive way than what he's able to do in D.C."

Breitbart

http://www.breitbart.com/big-government/2018/06/08/pruitt-reacts-to-heckler-left-doesnt-want-to-talk-about-truthtrumps-results/

Pruitt Reacts to Heckler: Left Doesn't Want to Talk About Truth, Trump's 'Results' By Penny Starr, 6/8/18

A lone heckler interrupted Environmental Protection Agency Administrator Scott Pruitt as he spoke at the Road to Majority conference in Washington, D.C., on Friday.

The heckler, a young woman, was quickly escorted out of the room carrying a bottle of lotion and shouting about Chickfil-A.

"Are the chicken sandwiches better at the White House mess hall or at Chick-fil-A? I really need to know," the women shouted as the crowd urged her removal and applauded as she left.

Pruitt has faced relentless attacks from leftists, including those who supported the Obama EPA and the media, which tries to drum up controversy about the administrator - most recently that his staff allegedly have done errands to pick up dry cleaning and moisturizer for him.

The other alleged misdeed was arranging to meet with Chick-fil-A to discuss a franchise opportunity, but the meeting never took place.

Pruitt noted the irony that he was speaking about the importance of religious liberty and free speech and the recent Supreme Court decision in favor of a Christian baker who had been targeted by the Colorado Civil Rights Commission because he refused to bake a cake that celebrated a same-sex wedding.

Pruitt also spoke after the interruption about how the left is pushing back against President Donald Trump's accomplishments.

"You know what's interesting about this type of discussion is here we are talking about free speech, religious liberty, and folks won't let you engage in it at times," Pruitt said.

"The left doesn't want to talk about truth," Pruitt said. "The left doesn't want to talk about results."

"They just want to shout, they just want to try to intimidate, as opposed to talking about what's being done in this administration," Pruitt said. "There's great change happening across the country."

Pruitt said that change is happening, including at the EPA, because of Trump's courage and leadership.

"That type of courage is why the president is in the White House today," Pruitt said.

He also said Trump is an "unapologetic" defender of religious liberty.

Pruitt's remaining remarks focused on the EPA's successful deregulation efforts to reverse or defang those installed during the Obama administration, including the Clean Water Rule and the Clean Power Plan that hurt American energy producers, ranchers, and farmers.

The Brattleboro Reformer

http://www.reformer.com/stories/epa-grants-500k-to-wrc,541836

EPA grants \$500k to WRC

By Bob Audette, 6/10/18

On Friday, the Environmental Protection Agency awarded \$500,000 to the Windham Regional Commission to replenish its Brownfields Clean Up Revolving Loan Fund.

"We have a lot of projects in the pipeline," said Susan McMahon, Associate Director at the Windham Regional Commission. She noted that WRC has seven projects that might qualify for funding. If those projects qualify, they could require more than \$1 million in loans and grants, she said.

"To date, the WRC RLF has made eight grants and four loans," said McMahon. "We have another grant and loan closing soon. This all results in \$1.5 million in funds distributed."

McMahon noted that while the amount of a loan or grant may not always be large, they are essential in making redevelopment possible on brownfields sites in Windham County and Bennington County.

"WRC's funds contribute to the leveraging of over 22 million dollars in redevelopment funds in southern Vermont," she said.

Recently, said McMahon, the WRC fulfilled funding requests for the Saxtons River Park and for ongoing work to the Putnam Block in Bennington.

"This has resulted in the distribution of \$1.5 million," she said, adding the funds from the EPA will revitalize the WRC's revolving loan balance.

WRC disburses grants to nonprofits and municipalities and loans to privately owned businesses.

Porjects that the WRC's revolving loan fund have helped or are helping to pay for include New England Youth Theatre's Livery Building project; Robertson Paper Mill in Bellows Falls; the Saxtons River Mill; the Bellows Falls Historical Society Trail; Main Street Arts renovation; the conversion of a factory in Wilmington to a bus transit facility for the Current; the demolition of the former Tri-State Auto building on Elm Street; the demolition of Planet Gas on Western Avenue; the renovation of Next Stage Arts in Putney; the restoration of a hydro-electric facility in Pownal; and the cleanup of property at the former Estey Organ factory.

McMahon said southern Vermont may have more than its share of brownfield sites due to its proximity to the Connecticut River.

"The Connecticut River Valley was one of the first to be developed and it contains some of our most important industrial heritage," she said.

The \$500,000 disbursed to WRC is part of a \$5.3 million package issued by the EPA to communities across New England.

"Brownfields redevelopment is a win-win for New England communities" said EPA regional administrator Alexandra Dunn. "These supplemental funds can help cleanup projects get to completion and ready for redevelopment."

In Vermont, in addition to the WRC, the Southern Windsor County Regional Planning Commission and the Vermont Agency of Commerce and Community Development each received \$500,000.

The Brownfields Revolving Loan Fund program supports EPA's commitment to assist communities in addressing environmentally challenged properties and meet their local revitalization priorities. The supplemental funds announced today will help communities reuse vacant and abandoned properties and turn them into community assets such as housing, recreation and open space, health facilities, social services, transportation options, infrastructure and commerce opportunities.

The Associated Press

https://finance.yahoo.com/news/isolated-kim-takes-big-gamble-leaving-home-trump-010909043.html

Isolated Kim takes big gamble leaving home for Trump summit

By Foster Klug, 6/10/18

Spare a moment, as you anticipate one of the most unusual summits in modern history, to consider North Korea's leader as he left the all-encompassing bubble of his locked-down stronghold of Pyongyang on Sunday and stepped off a jet onto Singapore soil for his planned sit-down with President Donald Trump on Tuesday.

There's just no recent precedent for the gamble Kim Jong Un is taking.

As far as we know, his despot father only traveled out of the country by train, and rarely at that, because of fears of assassination. Kim, up until his recent high-profile summit with South Korea's president on the southern side of their shared border, has usually hunkered down behind his vast propaganda and security services, or made short trips to autocrat-friendly China.

While Singapore has authoritarian leanings, it is still a thriving bastion of capitalism and wealth, and Kim will be performing his high-stakes diplomatic tight-rope walk in front of 3,000 international journalists, including a huge contingent from the ultra-aggressive South Korean press — sometimes referred to by Pyongyang as "reptile media" — two of whom were arrested by Singapore police investigating a report of trespassing at the residence of the North Korean ambassador.

While he famously attended school in Switzerland, traveling this far as supreme leader is an entirely different matter for someone used to being the most revered, most protected, most deferred to human in his country of 25 million. Kim is, essentially, upsetting two decades of carefully choreographed North Korean statecraft and stepping into the unknown.

There's wild speculation about how Kim will perform on the world stage, although one question was answered Sunday: His grim-faced, well-muscled bodyguards marched alongside his armored limousine at one point in Singapore, just as they did when he met the South Korean leader in April. But amid the curiosity is an even more fundamental question: Why is he taking this risk at all?

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THE LOGISTICS

First the nuts and bolts: How do you protect what many North Koreans consider their single most precious resource, the third member of the Kim family to rule and a direct descendant of North Korea's worshipped founder Kim Il Sung?

Hundreds of North Korean security experts have no doubt been up nights wondering how to safeguard Kim Jong Un since Trump shocked the world by accepting the North's invitation to meet.

Kim arrived Sunday on a Chinese plane, not his official plane, which is called "Chammae-1" and named after the goshawk, North Korea's national bird.

Kim may have shipped over the massive bulletproof and fireproof limousine that became a social media sensation when Kim was shown being driven across the border between the Koreas during his first summit with South Korean President Moon Jae-in, in April, with a dozen staunch bodyguards encircling the auto. He could be seen speeding through Singapore on Sunday in a black limousine adorned with large North Korean flags.

Singapore's The Straits Times reported earlier this month that the Singapore government declared that four black BMW sedans with armored bodies that can withstand gunshots, explosives and grenades were exempt from certain traffic

rules through June 30. The newspaper said the vehicles weren't from a local authorized dealer, which suggests the cars were brought in specifically for the summit and may be used by Kim.

Kim's bodyguards traveled with him, providing trusted protection to back up local Singapore security who were controlling the perimeter and crowds,

One benefit of Singapore from the North Korean point of view is that there will probably not be any anti-North Korea protests during Kim's stay. "Singapore is like a police state. How can such rallies take place there? Anyone involved in rallies would be arrested," said Choi Kang, vice president of Seoul's Asan Institute for Policy Studies.

Kim arrived Sunday at the St. Regis hotel, where his close aide has been based as he leads a North Korean advance team arranging security and logistics details. South Korea's Hankook Ilbo reported that Singapore recommended the St. Regis, which hosted Chinese President Xi Jinping during his 2015 summit with Taiwanese President Ma Ying-jeou, because it can be easily secured.

WHY'S HE TAKING THE RISK?

The short answer might be that, despite his safety worries, Kim could end up getting much more out of this summit than he will have to give up.

The standard thinking goes that he needs quick help to stabilize and then rebuild an economy that has suffered amid a decades-long pursuit of nuclear bombs, and that the North Koreans see a unique chance to win concessions, legitimacy and protection from a meeting with a highly unconventional U.S. president who's willing to consider options past American leaders would not.

Kim also gets an "obvious and immediate win" by simply meeting with Trump, writes Joseph Yun, who was the top U.S. diplomat on North Korea until March.

It's "a sign of recognition that the North Koreans have sought for decades. In my meetings with North Korea's foreign ministry, its officials have repeatedly emphasized that only a leader-to-leader dialogue could break the nuclear impasse. At the root of this desire lies their central concern: regime survival," he wrote.

The summit has been portrayed as a "get to know you" meeting.

"That's a perfect deal for North Korea. They pocket all of it and lose essentially nothing," said Christopher Hill, President George W. Bush's lead nuclear negotiator with the North. "The North Koreans have already gotten what they need out of this. Their only issue is how much they have to give up. From what I can tell from (Trump's recent comments at the White House), they're not going to be asked to do much."

Kim may also be seeing the gamble in a light never considered by his autocratic father and grandfather because of "his determination to modernize North Korea," according to Ryan Haas, an Asia expert at the John L. Thornton China Center.

"Kim confronts rising expectations from within at the same time that he contends with ever-tightening sanctions from abroad," Haas wrote. "So, according to this logic, in order to satisfy internal expectations, he will need to reduce external pressure, and this dynamic could push Kim down the path of denuclearization."

Haas offers a useful warning, though, as people around the world settle in to watch the show in Singapore: "Virtually no North Korea analyst inside or outside of the U.S. government" expects Kim to actually give up his nukes.

The Associated Press

https://apnews.com/a2be8832bbe7437cb0be5e9436dcb5f4/White-House-takes-up-fight-against-'back-stabbing'-Trudeau

Trump's tweets slam Canada and Trudeau anew from Singapore

By Rob Gillies, Ken Thomas, and Catherine Lucey, 6/11/18

President Donald Trump took more swipes at Canada and its prime minister over trade issues as he settled in for a summit with North Korea in Singapore, contending that "Fair Trade is now to be called Fool Trade if it is not Reciprocal."

Trump roiled the Group of Seven meeting in Canada by first agreeing to a group statement on trade only to withdraw from it while complaining that he had been blindsided by Canadian Prime Minister Justin Trudeau's criticism of Trump's tariff threats at a summit-ending news conference. As he flew from Canada to Singapore Saturday night, Trump displayed his ire via Twitter, which he also employed to insult Trudeau as "dishonest" and "weak."

The attack on a longtime ally and its leader drew sharp criticism. German Chancellor Angela Merkel, who also attended the summit, told German public television that she found Trump's tweet disavowing the G-7 statement "sobering" and "a little depressing." Merkel also said the European Union would "act" against the U.S. trade measures.

Unbowed, Trump tweeted anew Monday morning from Singapore: "Fair Trade is now to be called Fool Trade if it is not Reciprocal. According to a Canada release, they make almost 100 Billion Dollars in Trade with U.S. (guess they were bragging and got caught!). Minimum is 17B. Tax Dairy from us at 270%. Then Justin acts hurt when called out!"

He added: "Why should I, as President of the United States, allow countries to continue to make Massive Trade Surpluses, as they have for decades, while our Farmers, Workers & Taxpayers have such a big and unfair price to pay? Not fair to the PEOPLE of America! \$800 Billion Trade Deficit...And add to that the fact that the U.S. pays close to the entire cost of NATO-protecting many of these same countries that rip us off on Trade (they pay only a fraction of the cost-and laugh!). The European Union had a \$151 Billion Surplus-should pay much more for Military!"

And he brought in Merkel's government:Germany pays 1% (slowly) of GDP towards NATO, while we pay 4% of a MUCH larger GDP. Does anybody believe that makes sense? We protect Europe (which is good) at great financial loss, and then get unfairly clobbered on Trade. Change is coming!"

Earlier, the White House escalated the initial tirade and leveled more withering and unprecedented criticism against Trudeau, branding him a back-stabber unworthy of Trump's time.

"There's a special place in hell for any foreign leader that engages in bad faith diplomacy with President Donald J. Trump and then tries to stab him in the back on the way out the door," Trump trade adviser Peter Navarro said in an interview nationally broadcast Sunday in the United States.

Canada's foreign minister, Chrystia Freeland, said her country "does not conduct its diplomacy through ad hominem attacks."

The verbal volleys by Navarro and Trump's top economic adviser, Larry Kudlow, picked up where Trump had left off Saturday evening. Kudlow suggested Trump saw Trudeau as trying to weaken his hand before that meeting, saying the president won't "let a Canadian prime minister push him around. ... Kim must not see American weakness." Kudlow was referring to North Korean leader Kim Jong Un.

Trudeau, who had said at the news conference that Canada would retaliate for new U.S. tariffs, didn't respond to questions about Trump when the prime minister arrived at a Quebec City hotel Sunday for meetings with other world leaders. Freeland later told reporters that "we don't think that's a useful or productive way to do business."

A Trudeau spokesman, Cameron Ahmad, said Saturday night that Trudeau "said nothing he hasn't said before — both in public and in private conversations" with Trump.

And Roland Paris, a former foreign policy adviser to Trudeau, jabbed at Trump on Twitter: "Big tough guy once he's back on his airplane. Can't do it in person. ... He's a pathetic little man-child."

Trudeau said he had reiterated to Trump, who left the G-7 meeting before it ended, that tariffs would harm industries and workers on both sides of the U.S.-Canada border. Trudeau told reporters that imposing retaliatory measures "is not something I relish doing" but that he wouldn't hesitate to do so because "I will always protect Canadian workers and Canadian interests."

Navarro, the Trump trade adviser, said his harsh assessment of what "bad faith" Trudeau did with "that stunt press conference" on Saturday "comes right from Air Force One."

He said Trump "did the courtesy to Justin Trudeau to travel up to Quebec for that summit. He had other things, bigger things, on his plate in Singapore. ... He did him a favor and he was even willing to sign that socialist communique. And what did Trudeau do as soon as the plane took off from Canadian airspace? Trudeau stuck our president in the back. That will not stand."

Kudlow, in a separate TV appearance, said Trudeau was "polarizing" and "really kind of stabbed us in the back." The Canadian leader pulled a "sophomoric political stunt for domestic consumption," Kudlow said, that amounted to "a betrayal."

"Don't blame Trump. It was Trudeau who started blasting Trump after he left, after the deals had been made." Kudlow said Trump won't let people "take pot shots at him" and that Trudeau "should've known better."

But the criticism left a former Canadian prime minister, Stephen Harper, stumped. "I don't understand the obsession with trade relations with Canada," he said, given that Canada is the biggest single buyer of American goods and services in the world. From promoting democracy and to fighting terrorism, "we're on the same page. We're the closest partners in the world and you don't want to see a dispute over one particular issue poison everything."

Trudeau had said Canadians "are polite, we're reasonable, but also we will not be pushed around." He described all seven leaders coming together to sign the joint declaration despite having "some strong, firm conversations on trade, and specifically on American tariffs."

In the air by then, Trump tweeted: "Based on Justin's false statements at his news conference, and the fact that Canada is charging massive Tariffs to our U.S. farmers, workers and companies, I have instructed our U.S. Reps not to endorse the Communique as we look at Tariffs on automobiles flooding the U.S. Market!"

He followed up by tweeting: "PM Justin Trudeau of Canada acted so meek and mild during our @G7 meetings only to give a news conference after I left saying that, "US Tariffs were kind of insulting" and he "will not be pushed around." Very dishonest & weak. Our Tariffs are in response to his of 270% on dairy!"

Navarro appeared on "Fox News Sunday," and Kudlow was on CNN's "State of the Union" and CBS' "Face the Nation" and Harper spoke on Fox's "Sunday Morning Futures."

TRUMP TWEETS



James Hewitt Environmental Protection Agency Press Secretary (202) 578-6141

EPA News Highlights 6.11.18

[HYPERLINK \I "_Western_Wire"]

Calling his agency's approach in the past "wrongheaded," Environmental Protection Agency Administrator Scott Pruitt fired back at Washington, D.C., rejecting the false choice between air and water quality and a growing economy in an exclusive interview with Western Wire. Pruitt also spoke before hundreds of conservative activists at the Western Conservative Summit in Denver Friday. The convention is hosted by Colorado Christian University. "The past administration had an unapologetic declared war on a sector of our economy," Pruitt said, including fossil fuels, and manufacturers but also farmers and ranchers. "That just to me is so wrongheaded." "We have done such a great job advancing air quality since the inception of the Clean Air Act while growing our GDP," Pruitt said. "Our CO2 footprint fell 20 percent from 2000 to 2014 through innovation and technology, not government mandates."

[HYPERLINK \I " Colorado Springs Gazette"]

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[HYPERLINK \I "_Colorado_Public_Radio"]

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National News Highlights 6.11.18

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[HYPERLINK \I "_TRUMP_TWEETS_1"]

Western Wire

[HYPERLINK "http://westernwire.net/exclusive-pruitt-fires-back-at-dc-in-denver-interview-touts-regulatory-reform-in-west/"]

EXCLUSIVE: Pruitt Fires Back At DC In Denver Interview, Touts Regulatory Reform In West By Michael Sandoval, 6/8/18

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Pruitt also spoke before hundreds of conservative activists at the Western Conservative Summit in Denver Friday. The convention is hosted by Colorado Christian University.

"The past administration had an unapologetic declared war on a sector of our economy," Pruitt said, including fossil fuels, and manufacturers but also farmers and ranchers. "That just to me is so wrongheaded."

"We have done such a great job advancing air quality since the inception of the Clean Air Act while growing our GDP," Pruitt said. "Our CO2 footprint fell 20 percent from 2000 to 2014 through innovation and technology, not government mandates."

This week, the EPA rolled out a "500 Days of American Greatness" campaign, touting its successes over the first year and a half in withdrawing from the Paris climate agreement, reducing regulations that could save Americans \$1 billion, repealing the controversial Clean Power Plan and Waters of the United States rules, and ending "sue and settle" abuses.

"The American citizen in our economy and what we've done to advance these key issues, we've done it better than anybody in the world," Pruitt said. "Our job is to tell the story. We shouldn't pick winners and losers. We shouldn't use regulatory power to engage in a weaponization of the agency."

"We're fixing that," Pruitt added.

"Washington is about putting on jerseys. You're either for the environment or against the environment. You're for jobs or against jobs. The American people deserve better than that," Pruitt said.

In addition to his speech, Pruitt spent Friday afternoon speaking with his Region 8 staff and state delegations.

"I spent some time at our Region 8 headquarters meeting with state delegations from all six states," Pruitt said, in a conversation with Region 8 Administrator Doug Benevento. The bulk of the discussions focused on air and water quality, along with Superfund efforts across the West.

"It was very constructive," Pruitt said.

EPA's Region 8 covers Colorado, Utah, Wyoming, Montana, North Dakota, and South Dakota.

"What I love about it is I've put a lot of emphasis on cooperative federalism to ensure we are interfacing with the states and actually trying to advance environmental outcomes through better use of state implementation plans," Pruitt said. He pointed to the previous administration's emphasis on enforcing federal implementation plans.

"There's been an awakening of states that are very excited about revisiting the commitment to cooperative federalism," he said. "These meetings are very important."

Working with the West rather than against it is a sea-change from the previous EPA leadership.

"I think that's missed from a Washington, D.C. perspective," Pruitt said, noting his bipartisan work with the Western Governors' Association and Democratic governors like Steve Bullock of Montana and John Hickenlooper of Colorado.

"I was there onsite, recognizing the failure of the agency," Pruitt said, referring to the Gold King Mine spill initiated by the EPA in 2015 in southwest Colorado. "[T]hey caused the spill in the Animas River and then walked away from responsibility to private property owners in Colorado, New Mexico, and Utah."

Pruitt said that now, the Western Governors' Association is a "key partner" with his agency.

On Superfund cleanups, Pruitt said that 2017 saw a three-fold increase in delisting, and even more this year. He addressed farmers and ranchers in the West by tackling the Waters of the United States rule, which designated dry river beds and other questionable areas as "waters" and therefore subject to EPA rulemaking.

"We are actually hearing from stakeholders. They say, 'WOTUS killed us, fix it,'" Pruitt said. "We ought to be talking to those that we regulate."

"The citizens across this country care about water and air quality," Pruitt said. "There are bad actors in the marketplace, and we should prosecute those bad actors. But we shouldn't start from the presumption that all industry, farmers, ranchers, don't care about the environment."

"To me what we're doing is less deregulation, and more regulatory reform. We're getting rid of the deficient rules and providing answers consistent with our authority, recognizing the role of states and private property owners," Pruitt said. "It's a glorious time to be serving."

Rulemaking and Reducing State Backlogs

Yesterday the agency announced it would explore cost-benefit reform when evaluating its regulations in and advance notice of proposed rulemaking (ANPRM), "soliciting public input on whether and how to change the way it considers costs and benefits in making regulatory decisions."

"It's just a night and day difference in the sense of how we approach these issues," Pruitt said.

"While the Obama EPA estimated the social cost of carbon to be an average of \$36 per ton of carbon dioxide emitted, this EPA calculated an average of \$5 per ton," the agency said in a statement Thursday.

The Wall Street Journal editorial board blasted the previous administration regulatory push that repeatedly underestimated costs of proposed regulatory action to push through a large slate of new rules.

"Barack Obama's Environmental Protection Agency jammed through an average of 565 new rules each year during the Obama Presidency, imposing the highest regulatory costs of any agency. It pulled off this regulatory spree in part by gaming cost-benefit analysis to downplay the consequences of its major environmental rules," the board wrote.

The EPA "gamed" the system, the WSJ argued, by introducing "social costs" and "social benefits" calculations into the deliberation. They called these interjections "scientifically imprecise" and "irrelevant" to the analysis of various regulations, like the Clean Power Plan or the Mercury and Air Toxics Standards.

Sen. John Barrasso (R-Wyo.), chairman of the Senate Environment and Public Works Committee, hailed the EPA's announcement it would revisit the way it conducts its cost-benefit estimates.

"During the Obama administration, the Environmental Protection Agency exaggerated the benefits of Washington regulations and misjudged how costly they are to the economy," said Barrasso. "Punishing regulations like the so-called 'Clean Power Plan' would have cost Wyoming's energy workers their jobs and devastated communities throughout the state. Now the Trump administration is taking important steps to make sure the agency can no longer abuse the cost-benefit analysis process."

Pruitt added that one of his priorities was moving through and approving state implementation plans on air quality and allow the states to control their environmental future.

"We've reduced that backlog by half," Pruitt said.

"It's something that further demonstrates the displacement of the states" by the previous administration, Pruitt added.

He compared the federal implementation plans enforced under the Obama administration compared to the three previous administrations, who introduced 10 times fewer plans.

"Look, that sends a message that states don't matter," Pruitt said. A cookie-cutter approach to water issues, for example, doesn't work because Utah and Minnesota have two very different situations, Pruitt said, and require different approaches.

Partnerships with the states, and governors in particular, has been a key focus in his time at the helm of the agency, he said. Instead of interagency interfacing with state departments of environmental quality and the EPA, Pruitt said, "go to the governors" and work directly with the states and not just regulators.

Green Fellows To Sue EPA

Pruitt said that following and enforcing the law, rather than creating new regulations that lacked legislative backing, was a key difference between his EPA administration and that of his predecessors.

"I'm very sanguine about our ability to defend what we do because we do something the previous administration didn't, we actually do what the statute requires," Pruitt said.

"It's 5th grade civics. When you're in the executive branch you enforce the law you don't pitch hit for Congress," Pruitt said.

According to Pruitt, the difficulties and pushback experienced by the previous administration on issues like the Clean Power Plan and Waters of the United States was self-inflicted.

"They literally made it up," Pruitt said. "That's not editorial comment, that's what the courts have said."

But pushing back against Pruitt's efforts has created a cottage industry of deep-pocketed legal fellows under the guidance of a former deputy secretary and chief operations officer at the Interior Department under both the Clinton and Obama administrations, David Hayes.

In March, Hayes, Executive Director of the State Energy and Environmental Impact Center at New York University School of Law, spoke at a Denver climate conference, touting the new law fellowship he spearheads aimed at pushing climate initiatives and a commitment to the "goals of the Paris agreement," and suing the current administration, through friendly state attorney general offices.

"Let me talk about state AGs . . . there is a tendency to think of state attorneys general as, 'whoa, I don't know if we're ready to talk to them,'" Hayes said in March. "Those guys are the law enforcement folks."

"When it comes to climate change and clean energy, they are enforcing the law in the way that I think all of us in this room want them to—at least the progressive AGs," Hayes said.

Last summer, NYU's School of Law launched the State Energy and Environmental Impact Center with Hayes at the helm. The center's mission includes providing underwritten law fellows to state attorney general offices thanks to \$6 million grant from Bloomberg Philanthropies, named after the billionaire and former New York City Mayor Michael Bloomberg.

Western Wire has reported on the fellowship, noting that New Mexico's attorney general office was among the first seven states, and first in the West, to receive the fellows, alongside Illinois, Maryland, Massachusetts, New York, Washington, and Washington, D.C. The states are all members of the 'Green 20' group of attorneys general. So far, at least 14 fellows have been placed through the NYU fellowship program.

The "special assistant attorneys general" will "fight against regulatory rollbacks," with particular attention paid to the EPA.

Pruitt was unapologetic.

"We start with the statute, and then emphasize process with stakeholders having a say," Pruitt said, pointing to the Administrative Procedures Act.

"If we do those things right, and we do it in a timely manner, which the agency has never done, we'll be fine," Pruitt said.

Clean Air Scientific Advisory Committee Looks West

Pruitt's efforts to promote scientific transparency and geographical diversity include appointing Dr. Larry Wolk and Dr. Tony Cox, both from Colorado, to the Clean Air Scientific Advisory Committee (CASAC) last fall.

Wolk, Executive Director of the Colorado Department of Public Health and Environment (CDPHE) and Chief Medical Officer for the state of Colorado, joined Cox, President of Cox Associates and an expert specializing in quantitative risk analysis, on the CASAC committee.

Gov. John Hickenlooper, a Democrat, tapped Wolk to head CDPHE in 2013.

As part of the seven-member CASAC, established under the Clean Air Act amendments of 1977, Wolk and Cox provide advisory recommendations to Pruitt on air quality and National Ambient Air Quality Standards (NAAQS), serving for three years.

Courting Controversy

"I knew coming in to this position, this has been a place with a worldview that is antithetical to everything we've been talking about," Pruitt said, including regulatory reforms and a shift in agency priorities.

Pruitt described the agency's mindset prior to his arrival as fixed in the false choice between the economy and the environment.

"It was about picking winners and losers. We can't be about job growth and environmental stewardship," Pruitt said, acknowledging his embattled position and frequent controversy. "With great change comes great opposition."

Pruitt compared today's "enhanced rhetoric"—referring to the acrimony and attacks—to that of the Reagan era.

"This is a transformative time, and we have an opportunity to get things right for decades to come," Pruitt said.

President Trump offered praise Pruitt Friday, saying his EPA chief "is doing a great job within the walls of the EPA. I mean, we're setting records."

While Trump said Pruitt is "being attacked very viciously by the press," he added that his top environmental regulator wasn't "blameless."

"He's a man of courage and he's a man of results. And he expects that from those who serve in the cabinet," Pruitt said of his boss.

Earlier in the day, Pruitt told the Faith and Freedom Coalition's annual Road To Majority conference that he believed the current administration's efforts would have a lasting impact.

"There are certain times in history that when you're living in them you recognize that what's happening is going to impact generations into the future," Pruitt said. "We must embrace, we must advance, we must make change."

"Under President Trump and Administrator Pruitt's leadership the EPA has gone from being an agency directed against Americans to agency working for Americans. As a member of the transition team, it's exciting to see many of the policy action items being implement," said Independence Institute Executive Vice President Amy Oliver Cooke, who was part of the Trump administration transition team for the agency. "The list of accomplishments from rolling back the controversial, costly Clean Power Plan to withdrawing from the Paris Climate Treaty is impressive. Administrator Pruitt has proven that the President's philosophy—that we can responsibly develop our natural resources, be great stewards of our environment, and enjoy a thriving economy—can and does work."

Colorado Springs Gazette

[HYPERLINK "http://gazette.com/embattled-pruitt-sessions-lead-cheers-for-trump-at-conservative-summit-in-denver/article/1627402"]

Embattled Pruitt, Sessions lead cheers for Trump at conservative summit in Denver By Joey Bunch, 6/8/18

Controversial EPA Administrator Scott Pruitt spoke to a friendly crowd Friday night at the Western Conservative Summit, touting President Donald Trump's accomplishments in reversing the environmental regulations imposed by the previous administration.

We are living in transformational times, Pruitt told the audience. "God places responsibility on us to advance liberty and freedom" just as it was at the founding of the country.

The EPA is doing business differently, Pruitt explained. That means undoing the Waters of the USA rules set up by the Obama administration, which he said was an effort to centralize power, not to protect water quality. "We're going to create a new definition" of waters, Pruitt said, one based on private property ownership.

Pruitt also promoted the Trump administration's views on the Clean Power Plan, which he said declared war on fossil fuels. No agency of the federal government should ever declare war on a sector of the nation's economy, he said. No agency should declare winners and losers and favor one energy source over another. "We can be about regulatory reform and growing jobs and the economy" at the same time.

The changes have helped save business \$1 billion and produced a better outcome for the environment, Pruitt insisted. Air quality is 10 percent better under this administration, and the EPA is making great progress in cleaning up the environment, such as for Superfund sites.

Pruitt also pointed to Trump's decision to take the United States out of the Paris Climate accords, which he said took tremendous courage. "We won't agree to an agreement that puts us at a disadvantage to the rest of the world," with other countries such as China and India allowed to wait until 2030 to reduce their CO2 emissions. "We are leading the world in that regard and have nothing to be apologetic about."

This president is about putting power back in the hands of people in the states, Pruitt concluded. "I am so thankful we have a president who is a man of courage and results." Pruitt admitted he knew taking on the role at EPA would be "noisy and competitive" especially in an agency that he called "a bastion of liberalism...My greatest response is to keep going" and let people know that transformational change is happening.

Colorado Public Radio

[HYPERLINK "https://www.cpr.org/news/story/epa-chief-pruitt-finds-friendly-crowd-promotes-federalism-at-western-conservative-summit"]

EPA Chief Pruitt Promotes 'Federalism' To Friendly Western Conservative Summit Crowd By Gracfe Hood, 6/9/18

EPA Administrator Scott Pruitt highlighted his agency's work to a friendly audience at the Western Conservative Summit in Denver on Friday night.

Speaking to hundreds, Pruitt talked about his agency's work at the Gold King Mine and the country's other Superfund sites, stating that the sites are getting cleaned up quickly.

The Associated Press reports that the EPA has delayed a report on the human health risks of wastewater draining from southwestern Colorado mines -- including Gold King.

The agency said Friday it will collect more data and do more analysis after local health officials, toxicologists and others reviewed an early draft. The study was expected this spring, but the agency now says it will be fall.

The study is a step in developing a cleanup plan for the Bonita Peak Mining District Superfund project, which includes includes 48 mining-related sites near Silverton.

One of those is the Gold King mine, where the EPA inadvertently triggered a spill of 3 million gallons of wastewater in 2015.

Pruitt also underscored recent methane and air regulation rollbacks he called too restrictive.

"Air quality issues on the West Coast are different than the southeast. We must as an agency embody that partnership, that federalism concept, to make sure we advance these principles. So we have given a rebirth to rule of law, a rebirth to process, and we've renewed our focus," said Pruitt.

Key applause lines during Pruitt's speech hit on returning rights to states. Pruitt said that the Obama administration dictated too much policy from Washington D.C.

"We're going to engage in true federalism and partnering together to improve air quality and water quality," said Pruitt.
"A one-size-fits-all strategy with respect to these issues does not work."

The message of state's rights resonated with Susie Guerra from Lakewood.

"It's nice to know that we have someone who's considering taking care of individuals and keeping our lands free for individuals to use. We're so happy for that," she said.

Pruitt has been under close scrutiny for his spending and relationships with industry representatives. There are currently about a dozen federal inquiries into his spending and management. And on Friday, House Democrats formally requested that the Justice Department investigate Pruitt for potential criminal conduct.

In a letter to FBI Director Chris Wray and Justice criminal division chief John Cronan, six Democratic lawmakers with oversight of Pruitt's agency allege he repeatedly violated federal anti-corruption laws by seeking to leverage his government position for personal gain.

"I knew that it was going to be noisy and competitive," Pruitt said to the crowd, giving a nod to his critics. "In the midst of all that, the greatest response is to keep going. Keep advancing, keep persevering."

Overall the message resonated with the outside-the-beltway conservative crowd, including Western Wire Opinion Editor Matt Dempsey.

"Frankly with all the noise in Washington D.C. right now you're not hearing the policy side of what Pruitt is doing in Washington. You're hearing about the noise," said Dempsey. "Getting outside the beltway he's able to convey that message in a much more aggressive way than what he's able to do in D.C."

Breitbart

[HYPERLINK "http://www.breitbart.com/big-government/2018/06/08/pruitt-reacts-to-heckler-left-doesnt-want-to-talk-about-truth-trumps-results/"]

Pruitt Reacts to Heckler: Left Doesn't Want to Talk About Truth, Trump's 'Results' By Penny Starr, 6/8/18

A lone heckler interrupted Environmental Protection Agency Administrator Scott Pruitt as he spoke at the Road to Majority conference in Washington, D.C., on Friday.

The heckler, a young woman, was quickly escorted out of the room carrying a bottle of lotion and shouting about Chickfil-A.

"Are the chicken sandwiches better at the White House mess hall or at Chick-fil-A? I really need to know," the women shouted as the crowd urged her removal and applauded as she left.

Pruitt has faced relentless attacks from leftists, including those who supported the Obama EPA and the media, which tries to drum up controversy about the administrator – most recently that his staff allegedly have done errands to pick up dry cleaning and moisturizer for him.

The other alleged misdeed was arranging to meet with Chick-fil-A to discuss a franchise opportunity, but the meeting never took place.

Pruitt noted the irony that he was speaking about the importance of religious liberty and free speech and the recent Supreme Court decision in favor of a Christian baker who had been targeted by the Colorado Civil Rights Commission because he refused to bake a cake that celebrated a same-sex wedding.

Pruitt also spoke after the interruption about how the left is pushing back against President Donald Trump's accomplishments.

"You know what's interesting about this type of discussion is here we are talking about free speech, religious liberty, and folks won't let you engage in it at times," Pruitt said.

"The left doesn't want to talk about truth," Pruitt said. "The left doesn't want to talk about results."

"They just want to shout, they just want to try to intimidate, as opposed to talking about what's being done in this administration," Pruitt said. "There's great change happening across the country."

Pruitt said that change is happening, including at the EPA, because of Trump's courage and leadership.

"That type of courage is why the president is in the White House today," Pruitt said.

He also said Trump is an "unapologetic" defender of religious liberty.

Pruitt's remaining remarks focused on the EPA's successful deregulation efforts to reverse or defang those installed during the Obama administration, including the Clean Water Rule and the Clean Power Plan that hurt American energy producers, ranchers, and farmers.

The Brattleboro Reformer

[HYPERLINK "http://www.reformer.com/stories/epa-grants-500k-to-wrc,541836"] **EPA grants \$500k to WRC**By Bob Audette, 6/10/18

On Friday, the Environmental Protection Agency awarded \$500,000 to the Windham Regional Commission to replenish its Brownfields Clean Up Revolving Loan Fund.

"We have a lot of projects in the pipeline," said Susan McMahon, Associate Director at the Windham Regional Commission. She noted that WRC has seven projects that might qualify for funding. If those projects qualify, they could require more than \$1 million in loans and grants, she said.

"To date, the WRC RLF has made eight grants and four loans," said McMahon. "We have another grant and loan closing soon. This all results in \$1.5 million in funds distributed."

McMahon noted that while the amount of a loan or grant may not always be large, they are essential in making redevelopment possible on brownfields sites in Windham County and Bennington County.

"WRC's funds contribute to the leveraging of over 22 million dollars in redevelopment funds in southern Vermont," she said.

Recently, said McMahon, the WRC fulfilled funding requests for the Saxtons River Park and for ongoing work to the Putnam Block in Bennington.

"This has resulted in the distribution of \$1.5 million," she said, adding the funds from the EPA will revitalize the WRC's revolving loan balance.

WRC disburses grants to nonprofits and municipalities and loans to privately owned businesses.

Porjects that the WRC's revolving loan fund have helped or are helping to pay for include New England Youth Theatre's Livery Building project; Robertson Paper Mill in Bellows Falls; the Saxtons River Mill; the Bellows Falls Historical Society Trail; Main Street Arts renovation; the conversion of a factory in Wilmington to a bus transit facility for the Current; the demolition of the former Tri-State Auto building on Elm Street; the demolition of Planet Gas on Western Avenue; the renovation of Next Stage Arts in Putney; the restoration of a hydro-electric facility in Pownal; and the cleanup of property at the former Estey Organ factory.

McMahon said southern Vermont may have more than its share of brownfield sites due to its proximity to the Connecticut River.

"The Connecticut River Valley was one of the first to be developed and it contains some of our most important industrial heritage," she said.

The \$500,000 disbursed to WRC is part of a \$5.3 million package issued by the EPA to communities across New England.

"Brownfields redevelopment is a win-win for New England communities" said EPA regional administrator Alexandra Dunn. "These supplemental funds can help cleanup projects get to completion and ready for redevelopment."

In Vermont, in addition to the WRC, the Southern Windsor County Regional Planning Commission and the Vermont Agency of Commerce and Community Development each received \$500,000.

The Brownfields Revolving Loan Fund program supports EPA's commitment to assist communities in addressing environmentally challenged properties and meet their local revitalization priorities. The supplemental funds announced today will help communities reuse vacant and abandoned properties and turn them into community assets such as housing, recreation and open space, health facilities, social services, transportation options, infrastructure and commerce opportunities.

The Associated Press

 $[\ HYPERLINK\ "https://finance.yahoo.com/news/isolated-kim-takes-big-gamble-leaving-home-trump-010909043.html"\]$

Isolated Kim takes big gamble leaving home for Trump summit

By Foster Klug, 6/10/18

Spare a moment, as you anticipate one of the most unusual summits in modern history, to consider North Korea's leader as he left the all-encompassing bubble of his locked-down stronghold of Pyongyang on Sunday and stepped off a jet onto Singapore soil for his planned sit-down with President Donald Trump on Tuesday.

There's just no recent precedent for the gamble Kim Jong Un is taking.

As far as we know, his despot father only traveled out of the country by train, and rarely at that, because of fears of assassination. Kim, up until his recent high-profile summit with South Korea's president on the southern side of their shared border, has usually hunkered down behind his vast propaganda and security services, or made short trips to autocrat-friendly China.

While Singapore has authoritarian leanings, it is still a thriving bastion of capitalism and wealth, and Kim will be performing his high-stakes diplomatic tight-rope walk in front of 3,000 international journalists, including a huge contingent from the ultra-aggressive South Korean press — sometimes referred to by Pyongyang as "reptile media" — two of whom were arrested by Singapore police investigating a report of trespassing at the residence of the North Korean ambassador.

While he famously attended school in Switzerland, traveling this far as supreme leader is an entirely different matter for someone used to being the most revered, most protected, most deferred to human in his country of 25 million. Kim is, essentially, upsetting two decades of carefully choreographed North Korean statecraft and stepping into the unknown.

There's wild speculation about how Kim will perform on the world stage, although one question was answered Sunday: His grim-faced, well-muscled bodyguards marched alongside his armored limousine at one point in Singapore, just as they did when he met the South Korean leader in April. But amid the curiosity is an even more fundamental question: Why is he taking this risk at all?

Here's a look:
THE LOGISTICS

First the nuts and bolts: How do you protect what many North Koreans consider their single most precious resource, the third member of the Kim family to rule and a direct descendant of North Korea's worshipped founder Kim Il Sung?

Hundreds of North Korean security experts have no doubt been up nights wondering how to safeguard Kim Jong Un since Trump shocked the world by accepting the North's invitation to meet.

Kim arrived Sunday on a Chinese plane, not his official plane, which is called "Chammae-1" and named after the goshawk, North Korea's national bird.

Kim may have shipped over the massive bulletproof and fireproof limousine that became a social media sensation when Kim was shown being driven across the border between the Koreas during his first summit with South Korean President Moon Jae-in, in April, with a dozen staunch bodyguards encircling the auto. He could be seen speeding through Singapore on Sunday in a black limousine adorned with large North Korean flags.

Singapore's The Straits Times reported earlier this month that the Singapore government declared that four black BMW sedans with armored bodies that can withstand gunshots, explosives and grenades were exempt from certain traffic

rules through June 30. The newspaper said the vehicles weren't from a local authorized dealer, which suggests the cars were brought in specifically for the summit and may be used by Kim.

Kim's bodyguards traveled with him, providing trusted protection to back up local Singapore security who were controlling the perimeter and crowds,

One benefit of Singapore from the North Korean point of view is that there will probably not be any anti-North Korea protests during Kim's stay. "Singapore is like a police state. How can such rallies take place there? Anyone involved in rallies would be arrested," said Choi Kang, vice president of Seoul's Asan Institute for Policy Studies.

Kim arrived Sunday at the St. Regis hotel, where his close aide has been based as he leads a North Korean advance team arranging security and logistics details. South Korea's Hankook Ilbo reported that Singapore recommended the St. Regis, which hosted Chinese President Xi Jinping during his 2015 summit with Taiwanese President Ma Ying-jeou, because it can be easily secured.

WHY'S HE TAKING THE RISK?

The short answer might be that, despite his safety worries, Kim could end up getting much more out of this summit than he will have to give up.

The standard thinking goes that he needs quick help to stabilize and then rebuild an economy that has suffered amid a decades-long pursuit of nuclear bombs, and that the North Koreans see a unique chance to win concessions, legitimacy and protection from a meeting with a highly unconventional U.S. president who's willing to consider options past American leaders would not.

Kim also gets an "obvious and immediate win" by simply meeting with Trump, writes Joseph Yun, who was the top U.S. diplomat on North Korea until March.

It's "a sign of recognition that the North Koreans have sought for decades. In my meetings with North Korea's foreign ministry, its officials have repeatedly emphasized that only a leader-to-leader dialogue could break the nuclear impasse. At the root of this desire lies their central concern: regime survival," he wrote.

The summit has been portrayed as a "get to know you" meeting.

"That's a perfect deal for North Korea. They pocket all of it and lose essentially nothing," said Christopher Hill, President George W. Bush's lead nuclear negotiator with the North. "The North Koreans have already gotten what they need out of this. Their only issue is how much they have to give up. From what I can tell from (Trump's recent comments at the White House), they're not going to be asked to do much."

Kim may also be seeing the gamble in a light never considered by his autocratic father and grandfather because of "his determination to modernize North Korea," according to Ryan Haas, an Asia expert at the John L. Thornton China Center.

"Kim confronts rising expectations from within at the same time that he contends with ever-tightening sanctions from abroad," Haas wrote. "So, according to this logic, in order to satisfy internal expectations, he will need to reduce external pressure, and this dynamic could push Kim down the path of denuclearization."

Haas offers a useful warning, though, as people around the world settle in to watch the show in Singapore: "Virtually no North Korea analyst inside or outside of the U.S. government" expects Kim to actually give up his nukes.

The Associated Press

[HYPERLINK "https://apnews.com/a2be8832bbe7437cb0be5e9436dcb5f4/White-House-takes-up-fight-against-'back-stabbing'-Trudeau"]

Trump's tweets slam Canada and Trudeau anew from Singapore

By Rob Gillies, Ken Thomas, and Catherine Lucey, 6/11/18

President Donald Trump took more swipes at Canada and its prime minister over trade issues as he settled in for a summit with North Korea in Singapore, contending that "Fair Trade is now to be called Fool Trade if it is not Reciprocal."

Trump roiled the Group of Seven meeting in Canada by first agreeing to a group statement on trade only to withdraw from it while complaining that he had been blindsided by Canadian Prime Minister Justin Trudeau's criticism of Trump's tariff threats at a summit-ending news conference. As he flew from Canada to Singapore Saturday night, Trump displayed his ire via Twitter, which he also employed to insult Trudeau as "dishonest" and "weak."

The attack on a longtime ally and its leader drew sharp criticism. German Chancellor Angela Merkel, who also attended the summit, told German public television that she found Trump's tweet disavowing the G-7 statement "sobering" and "a little depressing." Merkel also said the European Union would "act" against the U.S. trade measures.

Unbowed, Trump tweeted anew Monday morning from Singapore: "Fair Trade is now to be called Fool Trade if it is not Reciprocal. According to a Canada release, they make almost 100 Billion Dollars in Trade with U.S. (guess they were bragging and got caught!). Minimum is 17B. Tax Dairy from us at 270%. Then Justin acts hurt when called out!"

He added: "Why should I, as President of the United States, allow countries to continue to make Massive Trade Surpluses, as they have for decades, while our Farmers, Workers & Taxpayers have such a big and unfair price to pay? Not fair to the PEOPLE of America! \$800 Billion Trade Deficit...And add to that the fact that the U.S. pays close to the entire cost of NATO-protecting many of these same countries that rip us off on Trade (they pay only a fraction of the cost-and laugh!). The European Union had a \$151 Billion Surplus-should pay much more for Military!"

And he brought in Merkel's government:Germany pays 1% (slowly) of GDP towards NATO, while we pay 4% of a MUCH larger GDP. Does anybody believe that makes sense? We protect Europe (which is good) at great financial loss, and then get unfairly clobbered on Trade. Change is coming!"

Earlier, the White House escalated the initial tirade and leveled more withering and unprecedented criticism against Trudeau, branding him a back-stabber unworthy of Trump's time.

"There's a special place in hell for any foreign leader that engages in bad faith diplomacy with President Donald J. Trump and then tries to stab him in the back on the way out the door," Trump trade adviser Peter Navarro said in an interview nationally broadcast Sunday in the United States.

Canada's foreign minister, Chrystia Freeland, said her country "does not conduct its diplomacy through ad hominem attacks."

The verbal volleys by Navarro and Trump's top economic adviser, Larry Kudlow, picked up where Trump had left off Saturday evening. Kudlow suggested Trump saw Trudeau as trying to weaken his hand before that meeting, saying the president won't "let a Canadian prime minister push him around. ... Kim must not see American weakness." Kudlow was referring to North Korean leader Kim Jong Un.

Trudeau, who had said at the news conference that Canada would retaliate for new U.S. tariffs, didn't respond to questions about Trump when the prime minister arrived at a Quebec City hotel Sunday for meetings with other world leaders. Freeland later told reporters that "we don't think that's a useful or productive way to do business."

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A Trudeau spokesman, Cameron Ahmad, said Saturday night that Trudeau "said nothing he hasn't said before — both in public and in private conversations" with Trump.

And Roland Paris, a former foreign policy adviser to Trudeau, jabbed at Trump on Twitter: "Big tough guy once he's back on his airplane. Can't do it in person. ... He's a pathetic little man-child."

Trudeau said he had reiterated to Trump, who left the G-7 meeting before it ended, that tariffs would harm industries and workers on both sides of the U.S.-Canada border. Trudeau told reporters that imposing retaliatory measures "is not something I relish doing" but that he wouldn't hesitate to do so because "I will always protect Canadian workers and Canadian interests."

Navarro, the Trump trade adviser, said his harsh assessment of what "bad faith" Trudeau did with "that stunt press conference" on Saturday "comes right from Air Force One."

He said Trump "did the courtesy to Justin Trudeau to travel up to Quebec for that summit. He had other things, bigger things, on his plate in Singapore. ... He did him a favor and he was even willing to sign that socialist communique. And what did Trudeau do as soon as the plane took off from Canadian airspace? Trudeau stuck our president in the back. That will not stand."

Kudlow, in a separate TV appearance, said Trudeau was "polarizing" and "really kind of stabbed us in the back." The Canadian leader pulled a "sophomoric political stunt for domestic consumption," Kudlow said, that amounted to "a betrayal."

"Don't blame Trump. It was Trudeau who started blasting Trump after he left, after the deals had been made." Kudlow said Trump won't let people "take pot shots at him" and that Trudeau "should've known better."

But the criticism left a former Canadian prime minister, Stephen Harper, stumped. "I don't understand the obsession with trade relations with Canada," he said, given that Canada is the biggest single buyer of American goods and services in the world. From promoting democracy and to fighting terrorism, "we're on the same page. We're the closest partners in the world and you don't want to see a dispute over one particular issue poison everything."

Trudeau had said Canadians "are polite, we're reasonable, but also we will not be pushed around." He described all seven leaders coming together to sign the joint declaration despite having "some strong, firm conversations on trade, and specifically on American tariffs."

In the air by then, Trump tweeted: "Based on Justin's false statements at his news conference, and the fact that Canada is charging massive Tariffs to our U.S. farmers, workers and companies, I have instructed our U.S. Reps not to endorse the Communique as we look at Tariffs on automobiles flooding the U.S. Market!"

He followed up by tweeting: "PM Justin Trudeau of Canada acted so meek and mild during our @G7 meetings only to give a news conference after I left saying that, "US Tariffs were kind of insulting" and he "will not be pushed around." Very dishonest & weak. Our Tariffs are in response to his of 270% on dairy!"

Navarro appeared on "Fox News Sunday," and Kudlow was on CNN's "State of the Union" and CBS' "Face the Nation" and Harper spoke on Fox's "Sunday Morning Futures."

[PAGE * MERGEFORMAT] | Page

TRUMP TWEETS



[PAGE * MERGEFORMAT] | Page

Message

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 6/13/2018 4:00:04 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: FW: helpful materials on EPA

From: Hewitt, James

Sent: Thursday, June 7, 2018 1:54 PM

To: 'Christopher.Carter@oann.com' < Christopher.Carter@oann.com>

Subject: helpful materials on EPA

Chris,

Wanted to make sure you saw this ahead of tomorrow.

Best, James

James Hewitt Environmental Protection Agency Press Secretary (202) 578-6141

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Monday, June 4, 2018 11:57 AM **To:** Hewitt, James hewitt.james@epa.gov>

Subject: EPA Celebrates 500 Days of American Greatness - Preview







EPA Celebrates 500 Days of American Greatness

Notable Policy Achievements

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
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- Ending Sue & Settle
- Promoting Certainty the Auto Industry

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Ensuring Clean Air And Water

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

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Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

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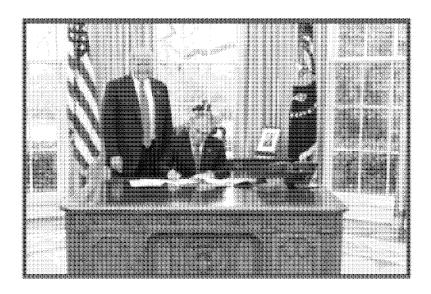
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Promise Made

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actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

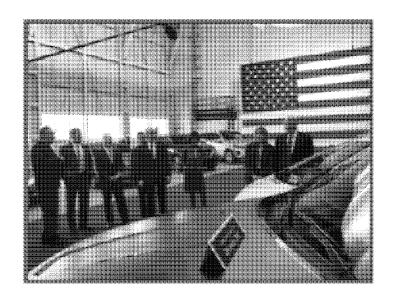
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U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



<u>Unsubscribe</u>

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Sent: 6/3/2018 6:35:00 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Daniell, Kelsi [daniell.kelsi@epa.gov]; Konkus, John [konkus.john@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]

Subject: Re: Lincoln

I will handle.

Sent from my iPhone

On Jun 3, 2018, at 11:13 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Please take point on this. The AP is littered with dishonest, anti-Trump reporters.

Begin forwarded message:

Resent-From: <Press@epa.gov>

From: "Knickmeyer, Ellen" < EKnickmeyer@ap.org>

Date: June 3, 2018 at 12:08:07 PM EDT

To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Feldman, Carole" <CFeldman@ap.org>,

"Biesecker, Michael" < MBiesecker@ap.org>

Cc: Press < Press@epa.gov>, "Ferguson, Lincoln" < ferguson.lincoln@epa.gov>

Subject: RE: Pruitt hotel room paid for by ACC

Hi, Jahan, thank you for clarifying for us.

The email from Gail Davis on Oct. 20 says that Administrator Pruitt's room and tax would be paid for by the American Chemistry Council. Following up on Michael's question, and irrespective of any change of travel plans on the trip, have ethics officers at that point or any other approved or disapproved Mr. Pruitt accepting free hotel rooms from any source? Can you please provide us with all documentation on that point?

The emails state that five staffers _ Lincoln, Ryan Jackson, Millan Hupp, and two others _ would be staying one to two nights each in what are described in the emails as one-bedroom villas at the golf resort, along with an unspecified number of security agents staying overnight in advance.

Can you please tell us exactly how many staffers and security agents traveled to the ACC conference resort, stayed overnight, and for how many nights, at the resort? Can you please also provide us with the total taxpayer portion of all expenses involved?

If staffers and security agents did spend the night at the resort, as the emails describe, ahead of Mr. Pruitt's appearance at the conference, was that necessary given what the flight voucher indicates would have been Mr. Pruitt's roughly one-hour trip to the Kiawah Island resort?

Best, Ellen From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Sunday, June 03, 2018 9:37 AM

To: Feldman, Carole < CFeldman@ap.org>; Biesecker, Michael < MBiesecker@ap.org>;

Knickmeyer, Ellen < EKnickmeyer@ap.org>

Cc: Press < Press@epa.gov >; Ferguson, Lincoln < ferguson.lincoln@epa.gov >

Subject: Re: Pruitt hotel room paid for by ACC

I remember the conversation very well and as always you couldn't accurately report the situation (standard problem for anti-Trump reporters like yourself). It took numerous tries for you to comprehend our statement. I have full confidence you will find a way to mislead the folks who pay for AP's service.

"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM." EPA spokesman, Jahan Wilcox

On Jun 2, 2018, at 4:09 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Jahan,

AP has reviewed EPA documents that indicate the American Chemistry Council picked up the tab for Administrator Pruitt's hotel room on Nov. 8 at Kiawah resort in South Carolina. You might remember that we had an email exchange about the trip on Nov. 3, during which you provided in the record comment that the EPA employees going on the trip would be staying at government expense for \$135 a night, within the limit allowed under federal reimbursement rules.

Did EPA ethics officials review and clear in advance the administrator's acceptance of a free hotel room from an industry trade group actively engaged in lobbying his agency? If so, please provide documentation they cleared his acceptance of the gift.

Also, please feel free to clarify your earlier statement that EPA employees were staying for \$135 a night, which in the case of the administrator does not appear to have been accurate.

We are planning to work on this through the weekend.

Thanks,

Michael

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is

strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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From: Hewitt, James [hewitt.james@epa.gov]

Sent: 6/4/2018 3:24:25 PM

To: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: FW: EPA Celebrates 500 Days of American Greatness - Preview

Updated w/ new graphics.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Monday, June 4, 2018 11:24 AM **To:** Hewitt, James leevitt.james@epa.gov

Subject: EPA Celebrates 500 Days of American Greatness - Preview







EPA Celebrates 500 Days of American Greatness

Notable Policy Achievements

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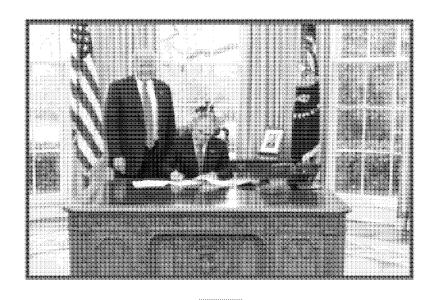


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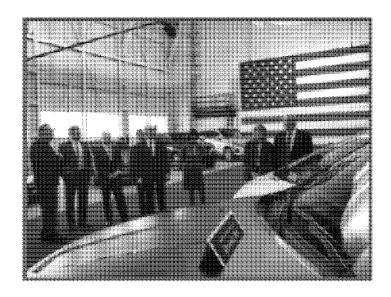
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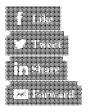








U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

Message

From: Konkus, John [konkus.john@epa.gov]

Sent: 6/4/2018 3:18:20 PM

To: Hewitt, James [hewitt.james@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov];

Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Attachments: Promises Made and Kept V4.pdf

Updated document attached.

From: Hewitt, James

Sent: Monday, June 4, 2018 11:02 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>;

Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5 John can we get updated graphics on Lincoln's changes?

From: Ferguson, Lincoln

Sent: Monday, June 4, 2018 10:58 AM

To: Hewitt, James < hewitt.james@epa.gov; Konkus, John konkus.john@epa.gov; Abboud, Michael hewitt.james@epa.gov; Block, Molly hewitt.james@epa.gov; Block, Molly hewitt.james@epa.gov); Block <a href="m

Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:47 AM

To: Konkus, John <<u>konkus.john@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Beach, Christopher <<u>beach.christopher@epa.gov</u>>; Block, Molly <<u>block.molly@epa.gov</u>>; Daniell, Kelsi <<u>daniell.kelsi@epa.gov</u>>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

From: Hewitt, James

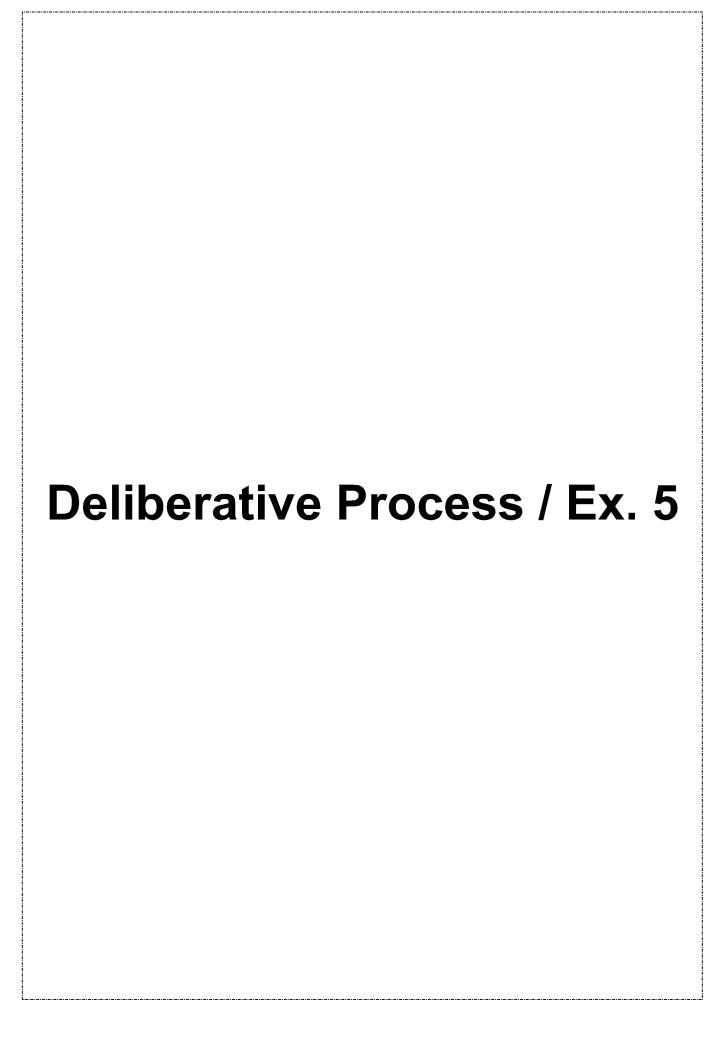
Sent: Monday, June 4, 2018 10:45 AM

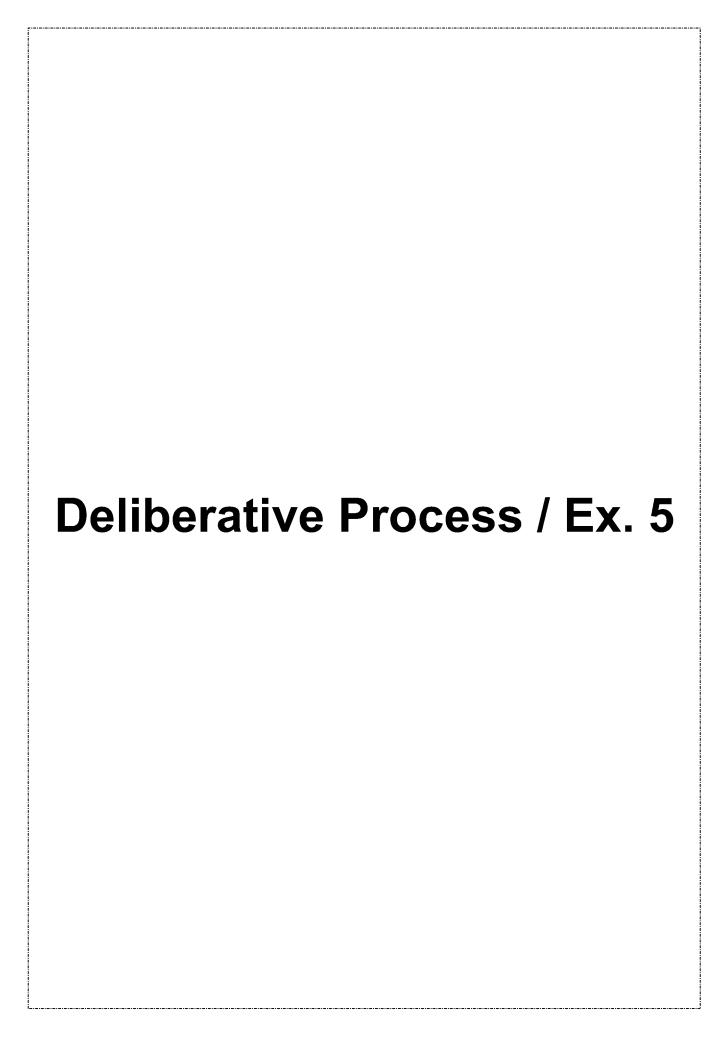
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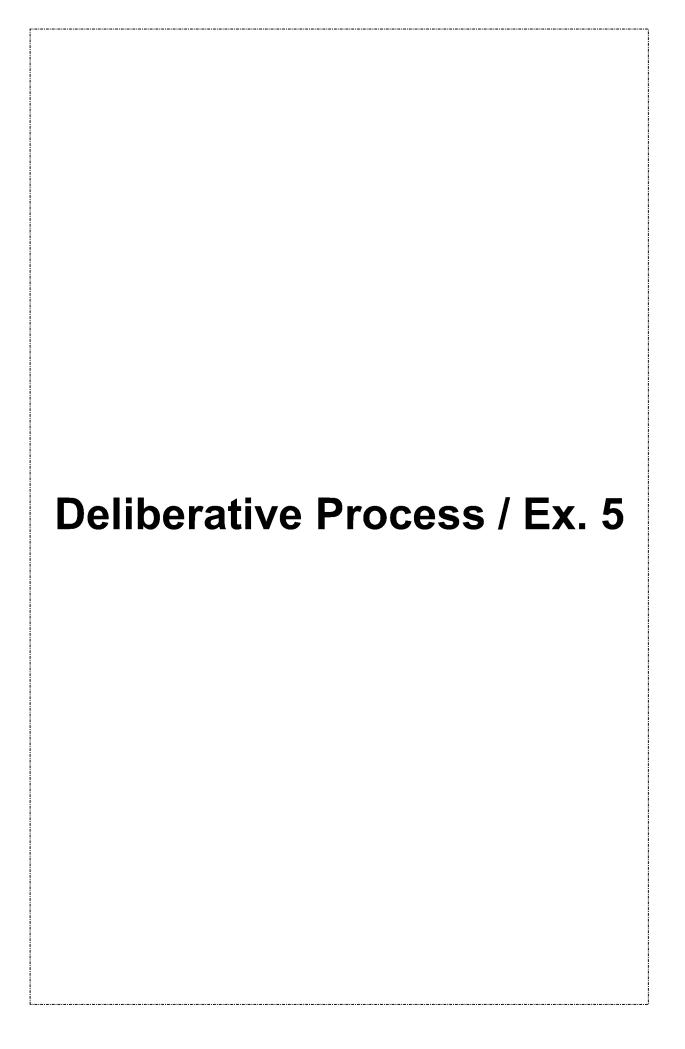
Lincoln <<u>ferguson.lincoln@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>> **Subject:** FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

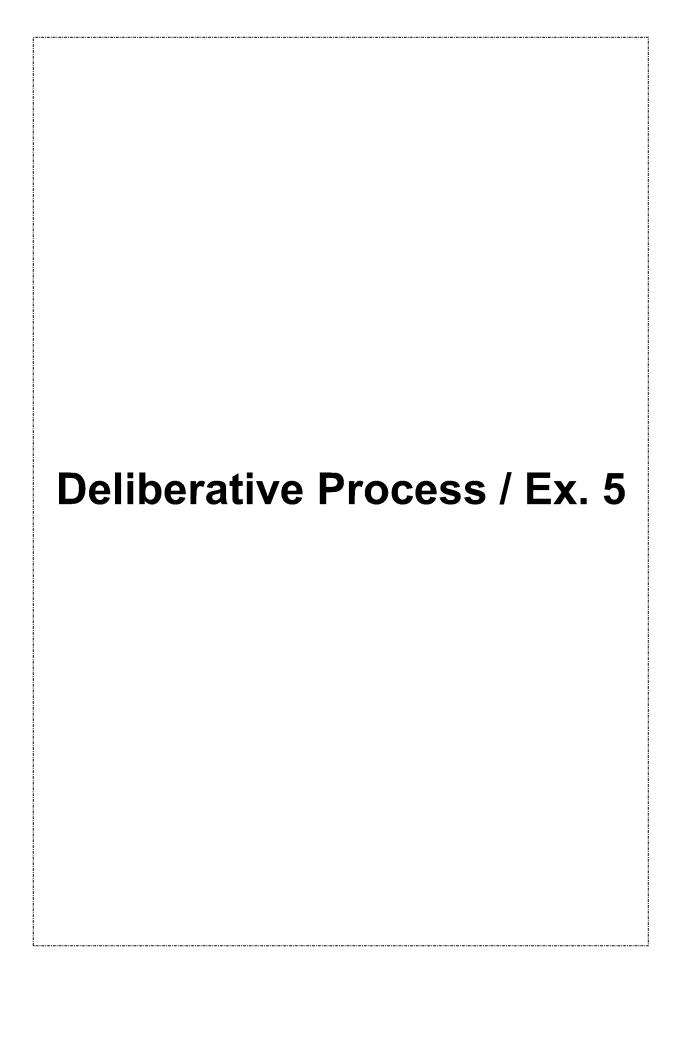
Seife v. EPA (1:19-cv-05190) 12.2.2019 ED_002240A_00002787-00001

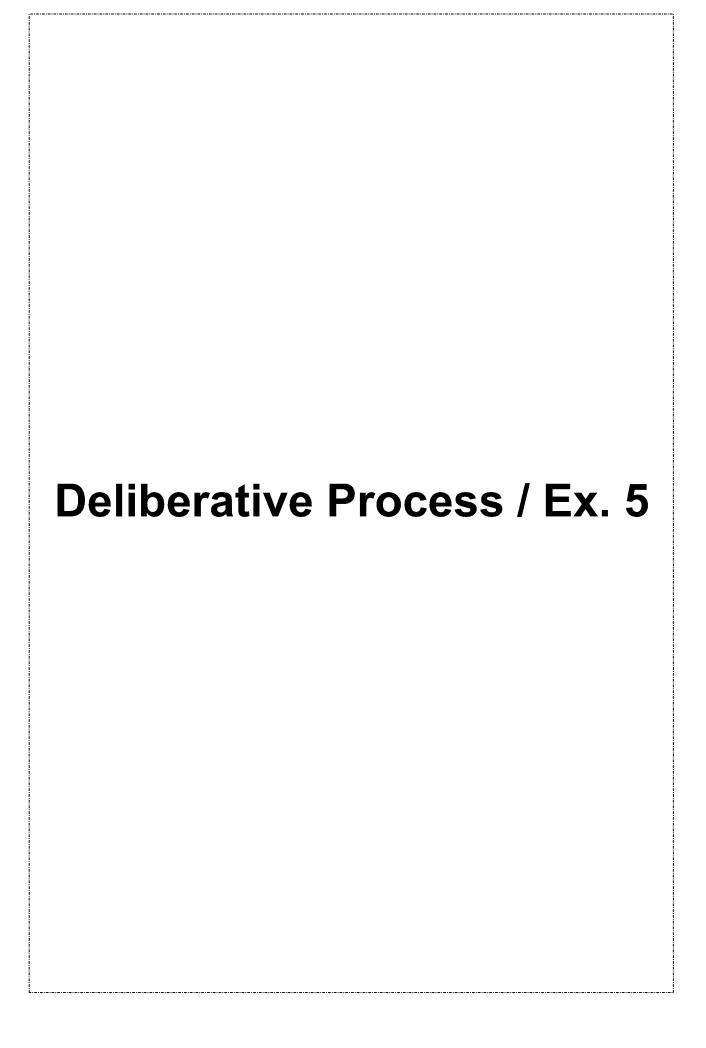
All, this is the finalized version with correct graphics/links/terminology. Please let me know if you have any edits. I think we should aim to send this out at 11:30am.
From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office Sent: Monday, June 4, 2018 10:44 AM To: Hewitt, James < hewitt.james@epa.gov > Subject: EPA Celebrates 500 Days of American Greatness - Preview
Deliberative Process / Ex. 5

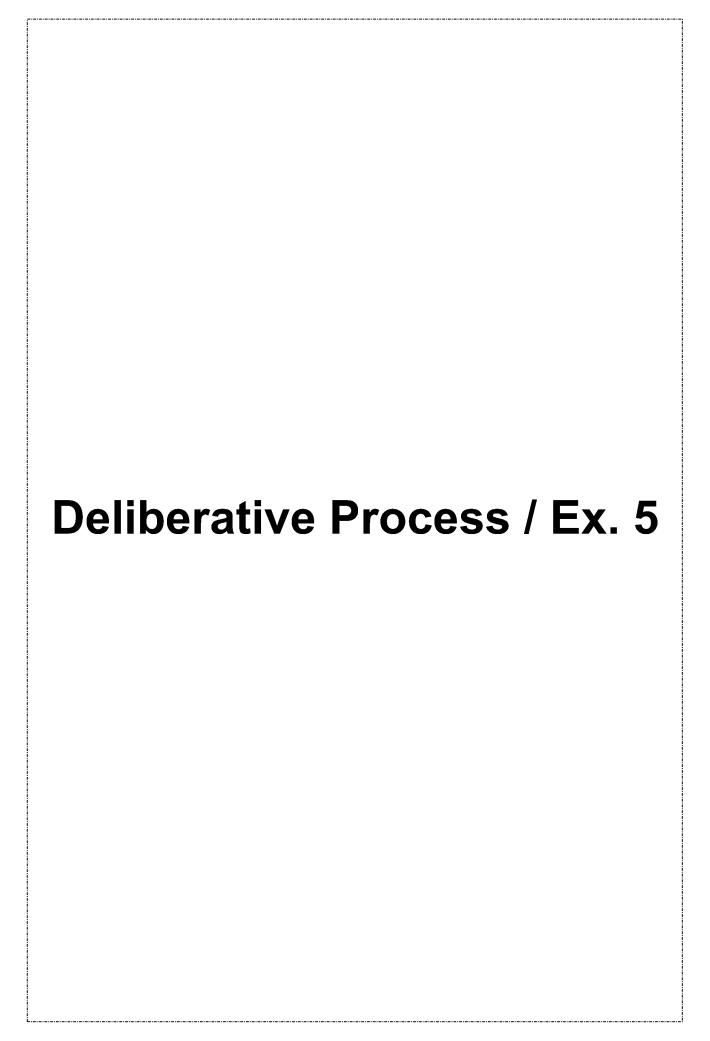


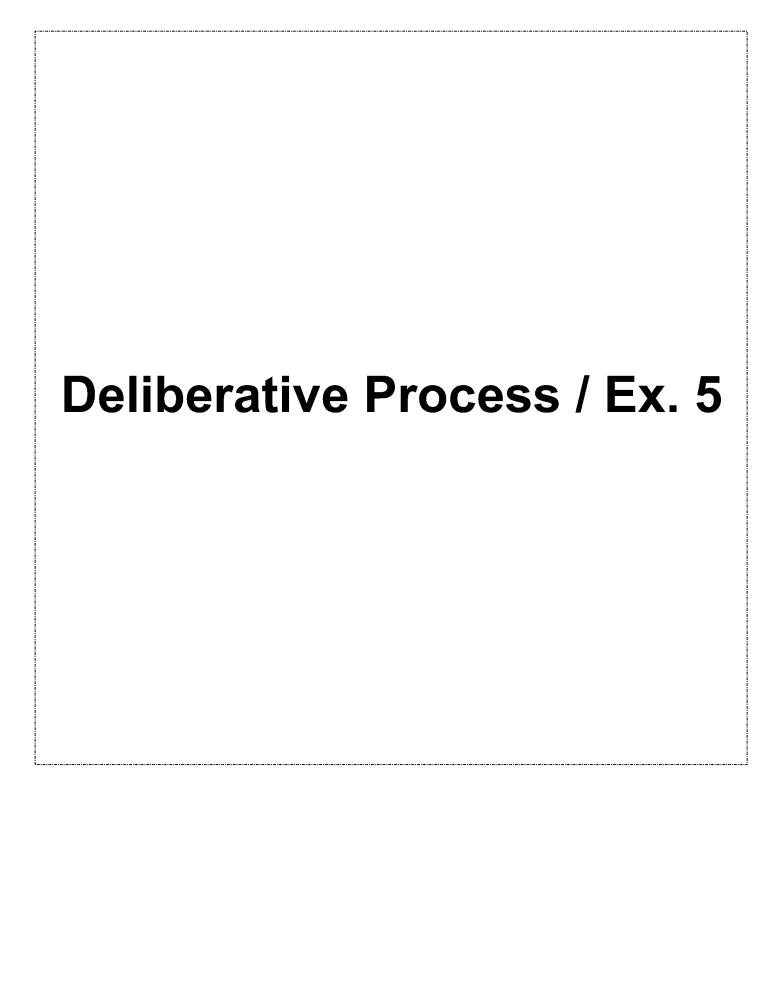










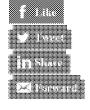


Deliberative Process / Ex. 5





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Message

From: Daniell, Kelsi [daniell.kelsi@epa.gov]

Sent: 6/2/2018 10:55:51 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus,

John [konkus.john@epa.gov]

Subject: Re: Pruitt hotel room paid for by ACC

This is what Jahan has sent in the past...

"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM."

Sent from my iPhone

On Jun 2, 2018, at 4:09 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

AP has reviewed EPA documents that indicate the American Chemistry Council picked up the tab for Administrator Pruitt's hotel room on Nov. 8 at Kiawah resort in South Carolina. You might remember that we had an email exchange about the trip on Nov. 3, during which you provided in the record comment that the EPA employees going on the trip would be staying at government expense for \$135 a night, within the limit allowed under federal reimbursement rules.

Did EPA ethics officials review and clear in advance the administrator's acceptance of a free hotel room from an industry trade group actively engaged in lobbying his agency? If so, please provide documentation they cleared his acceptance of the gift.

Also, please feel free to clarify your earlier statement that EPA employees were staying for \$135 a night, which in the case of the administrator does not appear to have been accurate.

We are planning to work on this through the weekend.

Thanks,

MIchael

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Message

Konkus, John [konkus.john@epa.gov] From:

6/4/2018 3:01:59 PM Sent:

To: Hewitt, James [hewitt.james@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov];

Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Yes

From: Hewitt, James

Sent: Monday, June 4, 2018 11:02 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>;

Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5 | John can we get updated graphics on Lincoln's changes?

From: Ferguson, Lincoln

Sent: Monday, June 4, 2018 10:58 AM

To: Hewitt, James < hewitt.james@epa.gov>; Konkus, John < konkus.john@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>;

Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:47 AM

To: Konkus, John < konkus.john@epa.gov>; Abboud, Michael < abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:45 AM

To: Konkus, John < konkus.john@epa.gov >; Abboud, Michael < abboud.michael@epa.gov >; Beach, Christopher <<u>beach.christopher@epa.gov</u>>; Block, Molly <<u>block.molly@epa.gov</u>>; Daniell, Kelsi <<u>daniell.kelsi@epa.gov</u>>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov> Subject: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

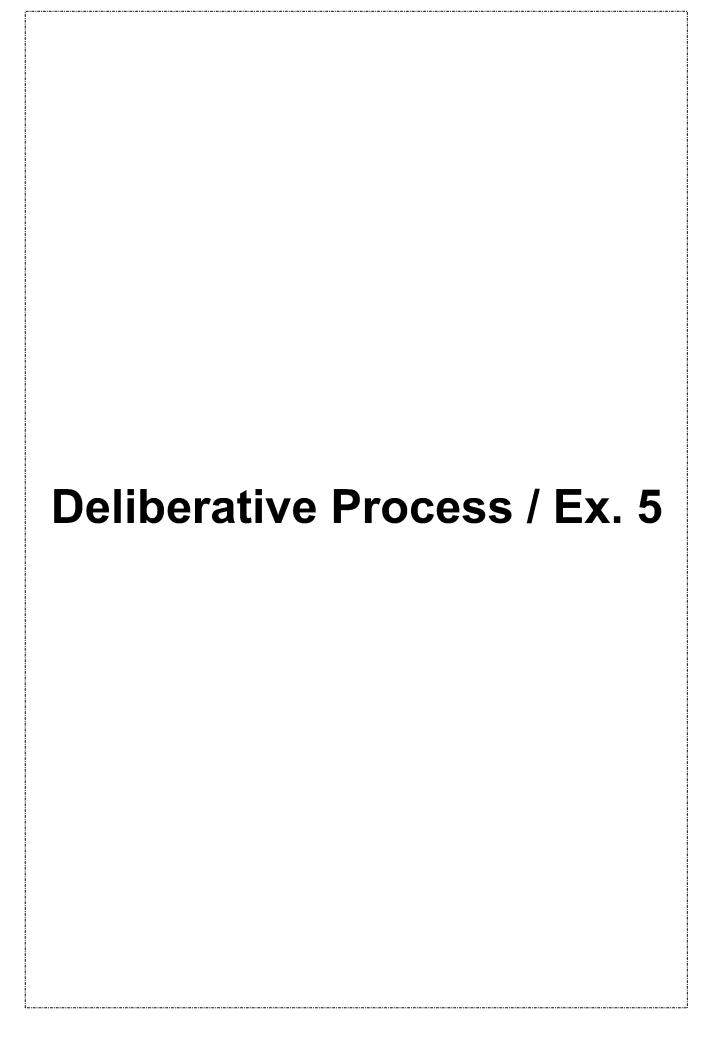
Seife v. EPA (1:19-cv-05190)

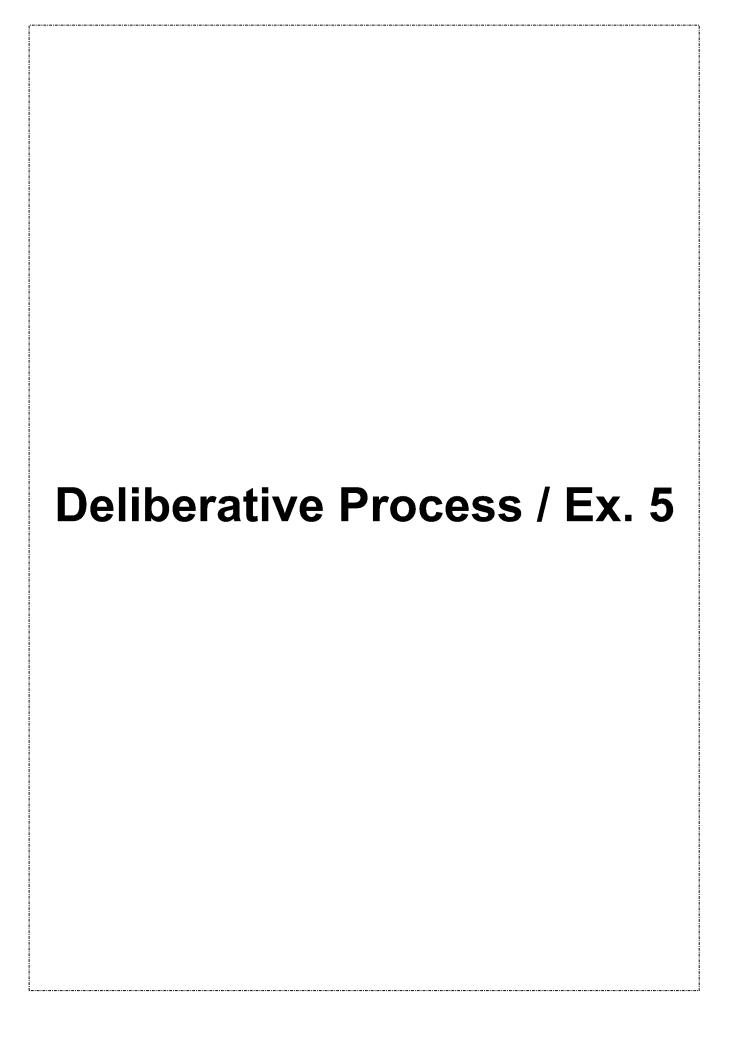
12.2.2019

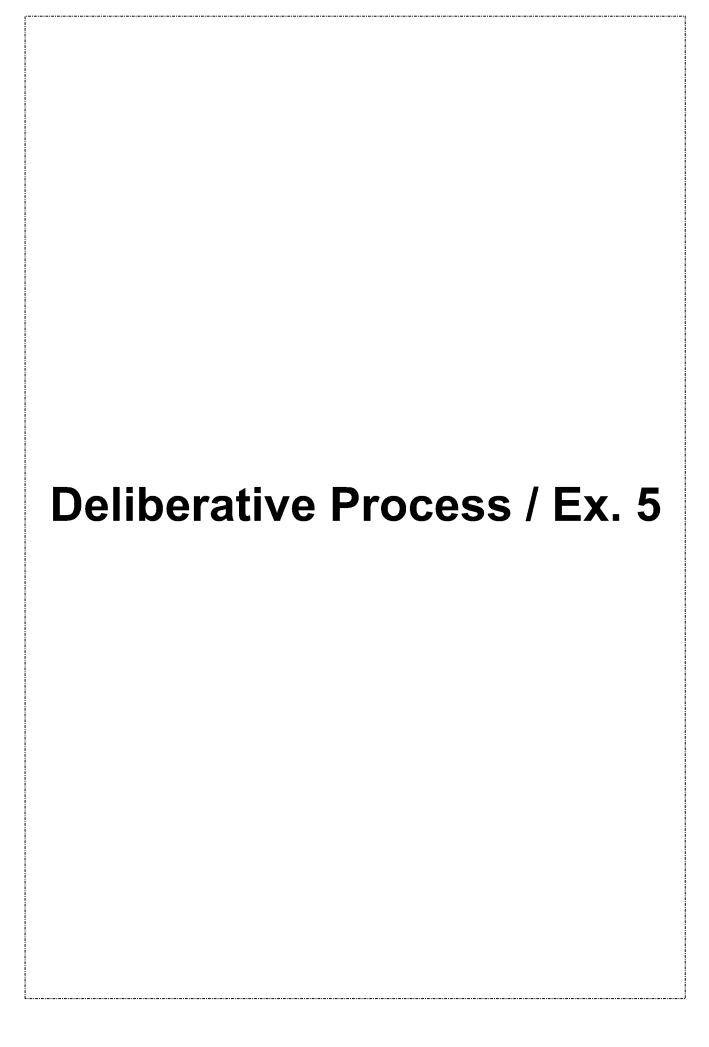
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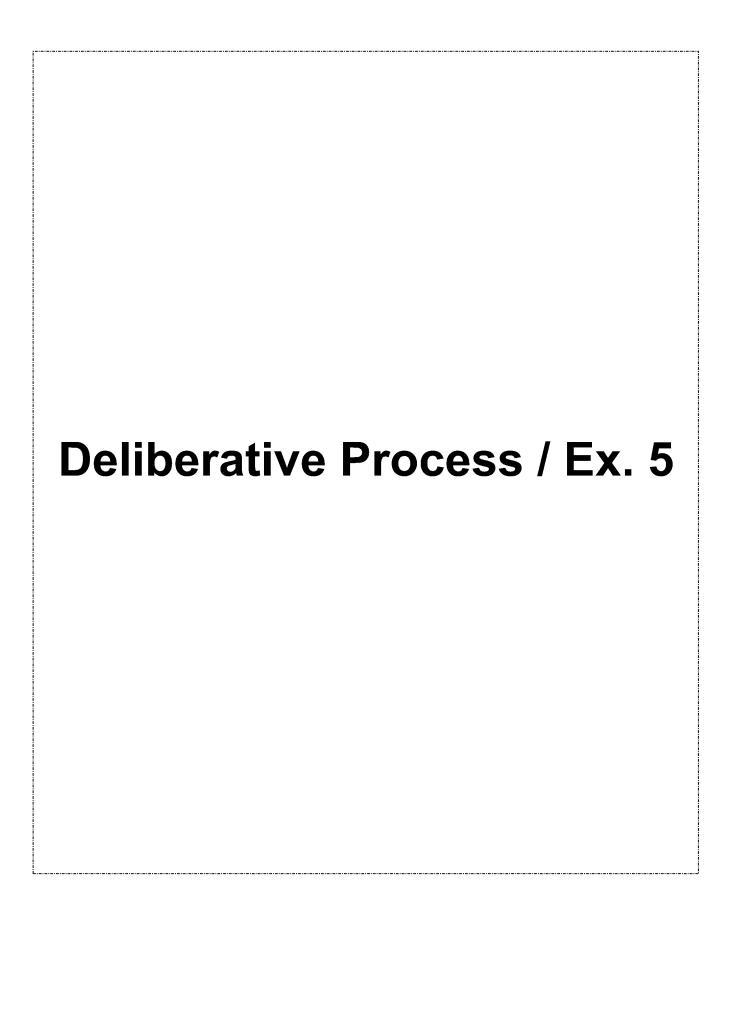
we should aim to send this out at 11:30am.	
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Deliberative Process / Ex.	5

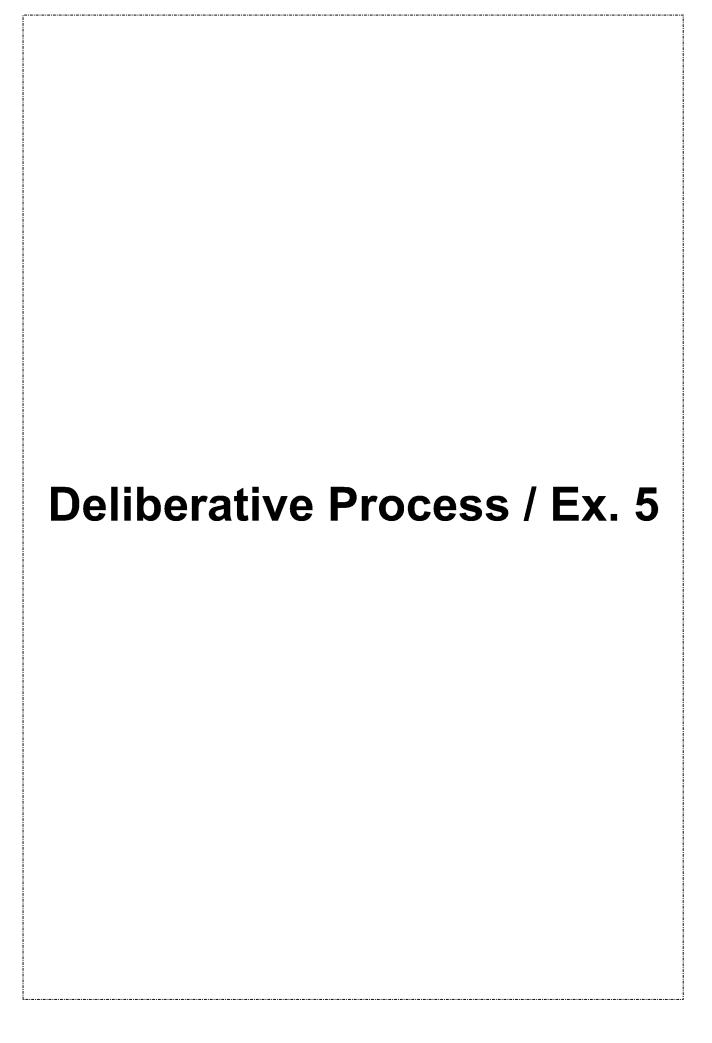
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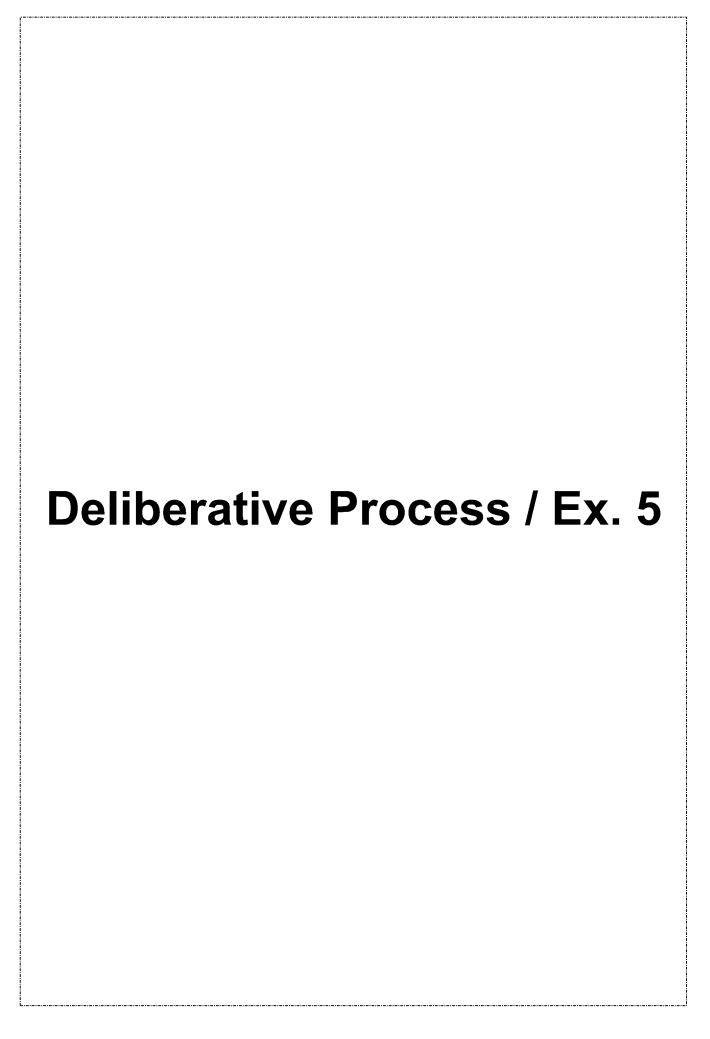


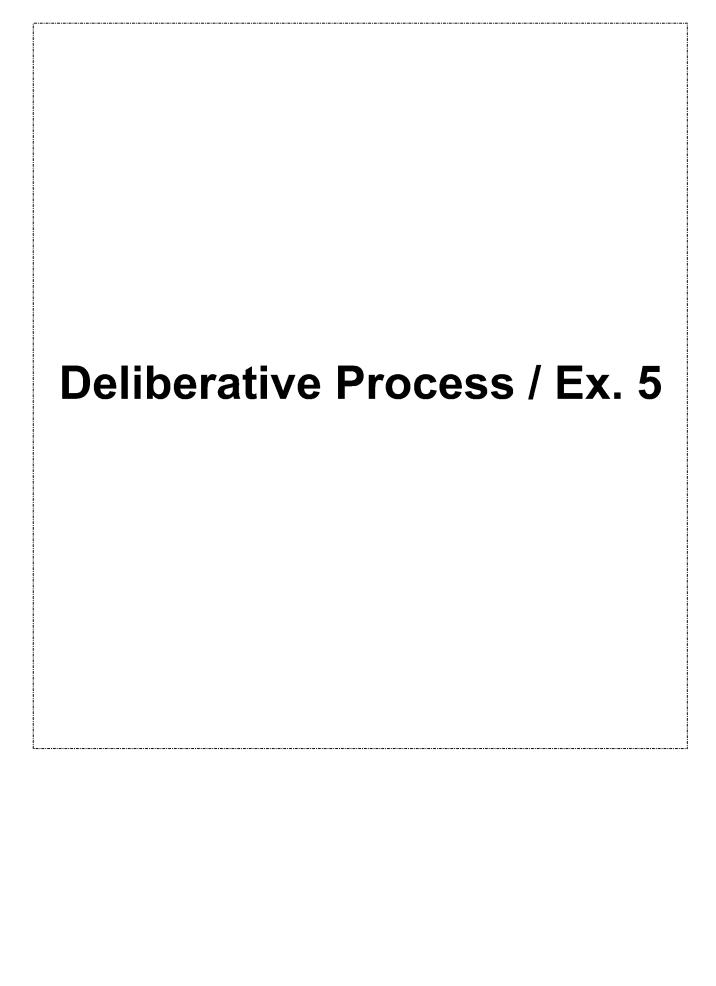












Deliberative Process / Ex. 5







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From: Knickmeyer, Ellen [EKnickmeyer@ap.org]

Sent: 6/7/2018 5:07:54 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: Sarah Greenwalt

No problem – better too many emails than none!

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, June 07, 2018 1:04 PM

To: Knickmeyer, Ellen < EKnickmeyer@ap.org>

Subject: RE: Sarah Greenwalt

Sorry for clogging you inbox, I just saw Lincoln emailed you right before me!

From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]

Sent: Thursday, June 7, 2018 1:03 PM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: Sarah Greenwalt

Thanks, Michael.

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, June 07, 2018 1:02 PM

To: Knickmeyer, Ellen < EKnickmeyer@ap.org >; Wilcox, Jahan < wilcox.jahan@epa.gov >; Press < Press@epa.gov >;

Ferguson, Lincoln < ferguson.lincoln@epa.gov>
Cc: Biesecker, Michael < MBiesecker@ap.org>

Subject: RE: Sarah Greenwalt

Wanted to give you the following statement with respect to Sarah Greenwalt's departure:

"I have had the pleasure of working with Sarah for the last several years both while serving as attorney general in Oklahoma and here at EPA. Sarah has been a tremendous leader within the agency, overseeing the start of the WOTUS rewrite as well as playing a vital role in our international relations. While her work ethic, dedication and friendship will be missed at the Agency, I know she will find success in her future endeavors in Oklahoma." – Administrator Scott Pruitt

On background: Sarah Greenwalt's last day at EPA is Wednesday, June 13. She is returning to Oklahoma to serve as General Counsel to the Oklahoma Workers' Compensation Commission.

Statement from Sarah Greenwalt:

"It has been an honor and privilege to serve at EPA alongside some of the most dedicated and hardworking public servants. I want to thank Administrator Pruitt for the opportunity to journey with him over the past six years, and I will always admire his visionary leadership and tenacity. While I will deeply cherish my time serving in the Trump Administration, I am

excited for the opportunity to return to my home state to once again serve the people of Oklahoma."

From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]

Sent: Thursday, June 7, 2018 9:36 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Press < Press@epa.gov >; Ferguson, Lincoln < ferguson.lincoln@epa.gov >

Cc: Biesecker, Michael < MBiesecker@ap.org>

Subject: Sarah Greenwalt

Hi, all,

Can you please get back to me this morning on whether or not Sarah Greenwalt is also leaving EPA, as multiple news organizations are reporting? Can you also tell me why you didn't respond to this yesterday?

Best,

Ellen

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From: Beach, Christopher [beach.christopher@epa.gov]

Sent: 6/4/2018 2:54:30 PM

To: Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:47 AM

To: Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher
 <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:45 AM

To: Konkus, John <<u>konkus.john@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Beach, Christopher <<u>beach.christopher@epa.gov</u>>; Block, Molly <<u>block.molly@epa.gov</u>>; Daniell, Kelsi <<u>daniell.kelsi@epa.gov</u>>; Ferguson,

Lincoln < ferguson.lincoln@epa.gov>; Hewitt, James < hewitt.james@epa.gov> Subject: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

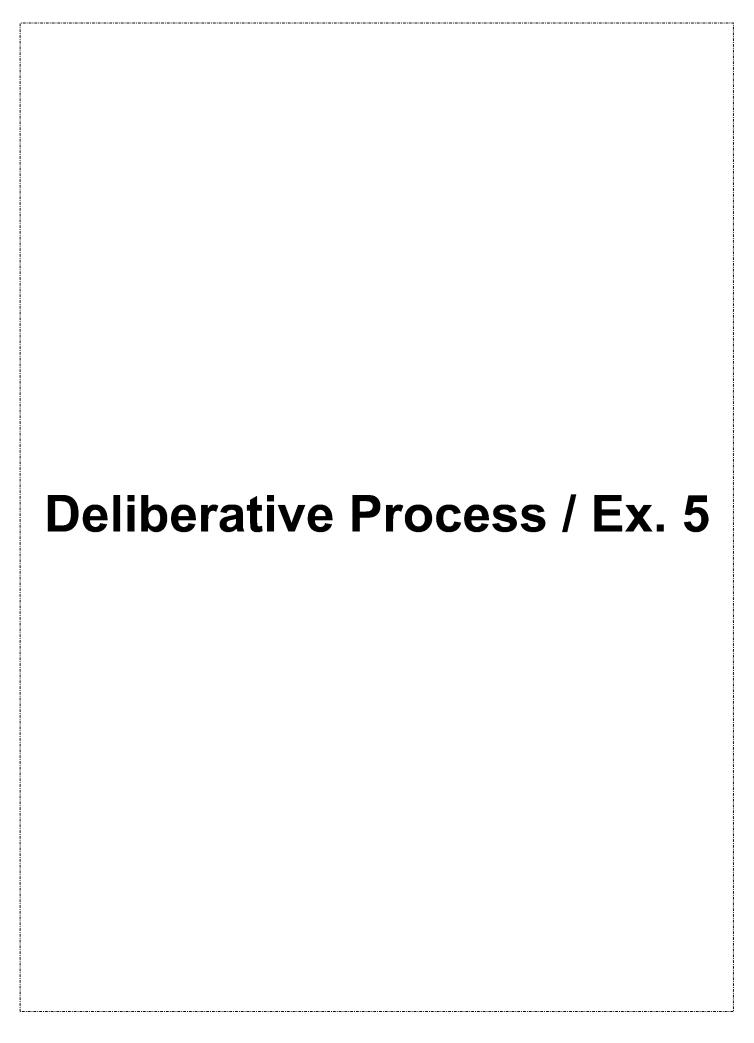
All, this is the finalized version with correct graphics/links/terminology. Please let me know if you have any edits. I think we should aim to send this out at 11:30am.

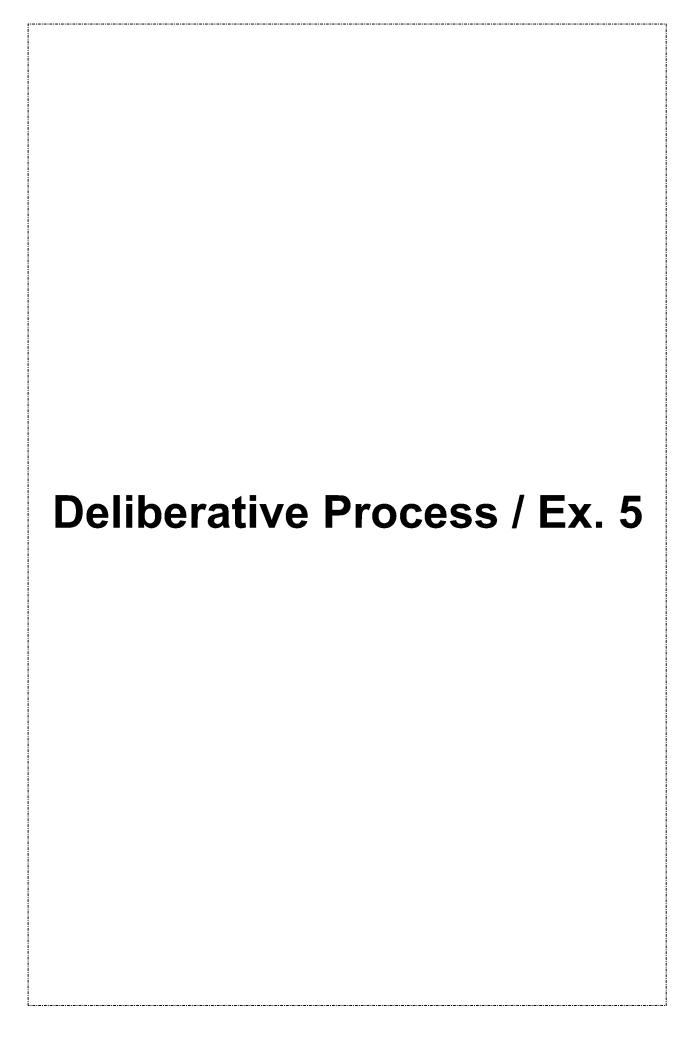
From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

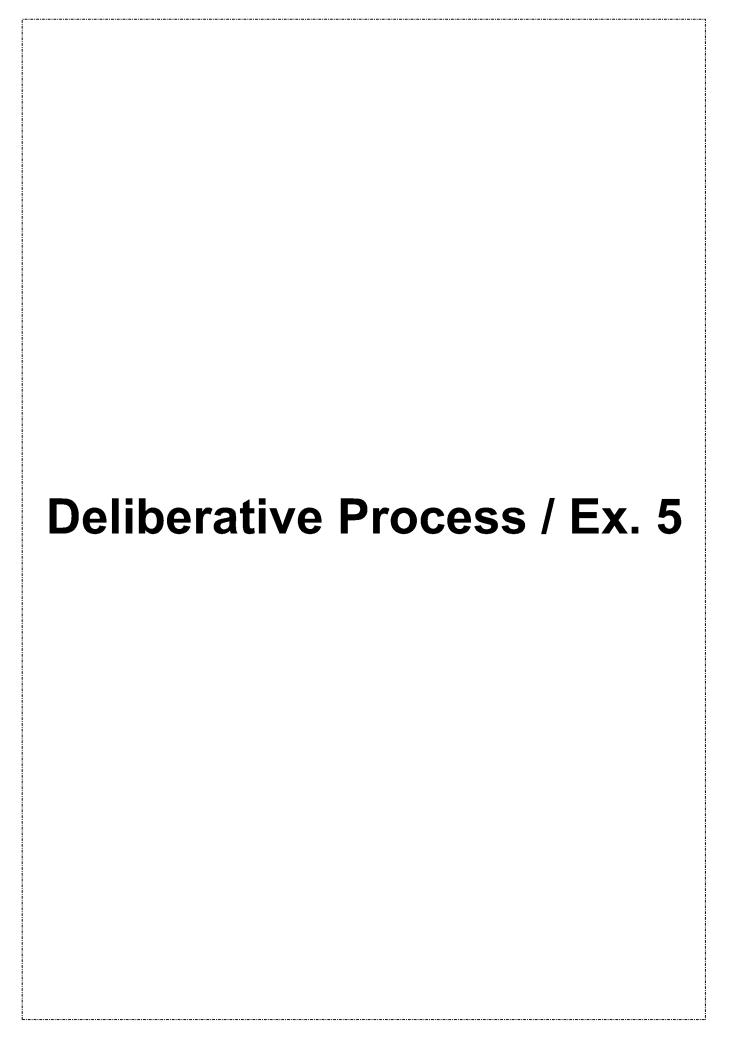
Sent: Monday, June 4, 2018 10:44 AM **To:** Hewitt, James hewitt.james@epa.gov

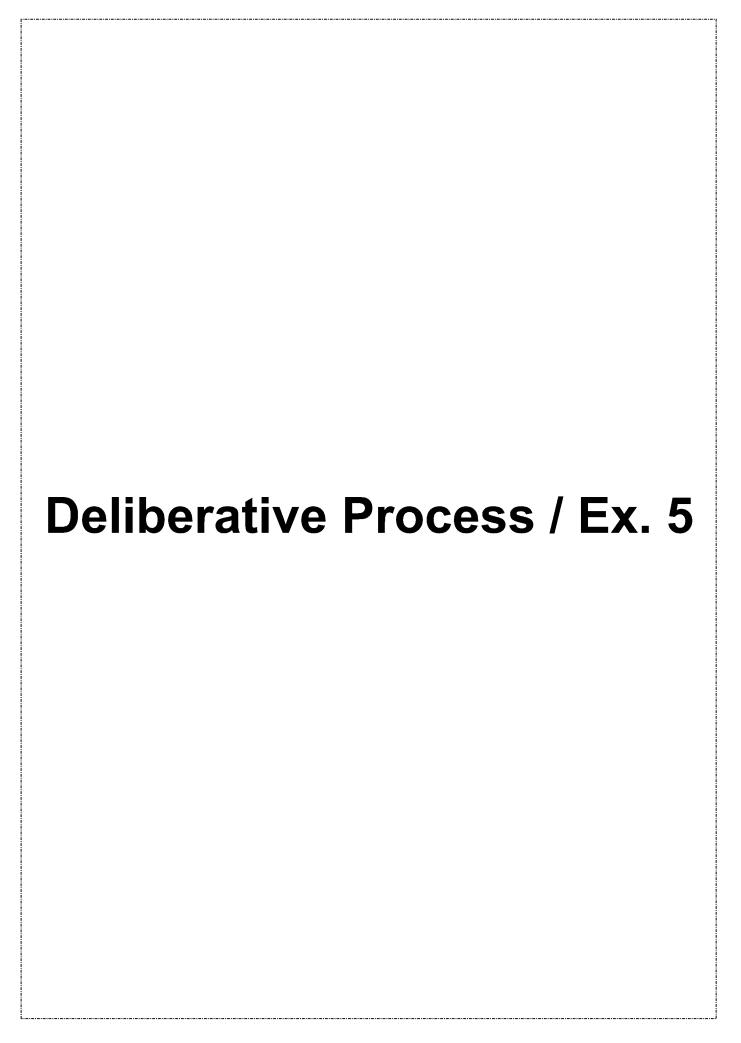
Subject: EPA Celebrates 500 Days of American Greatness - Preview

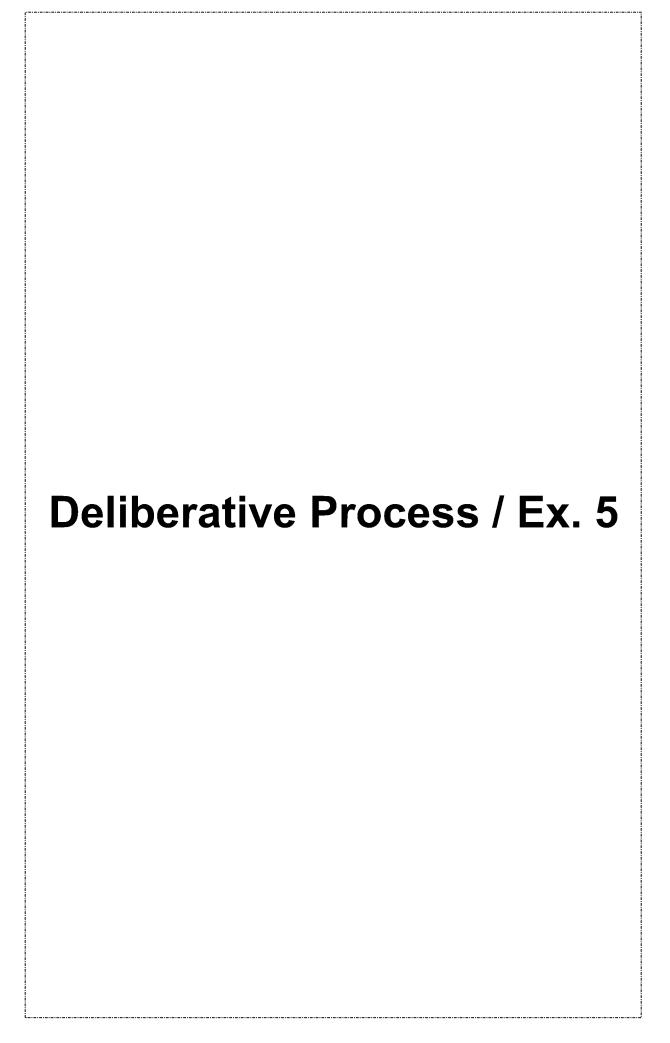
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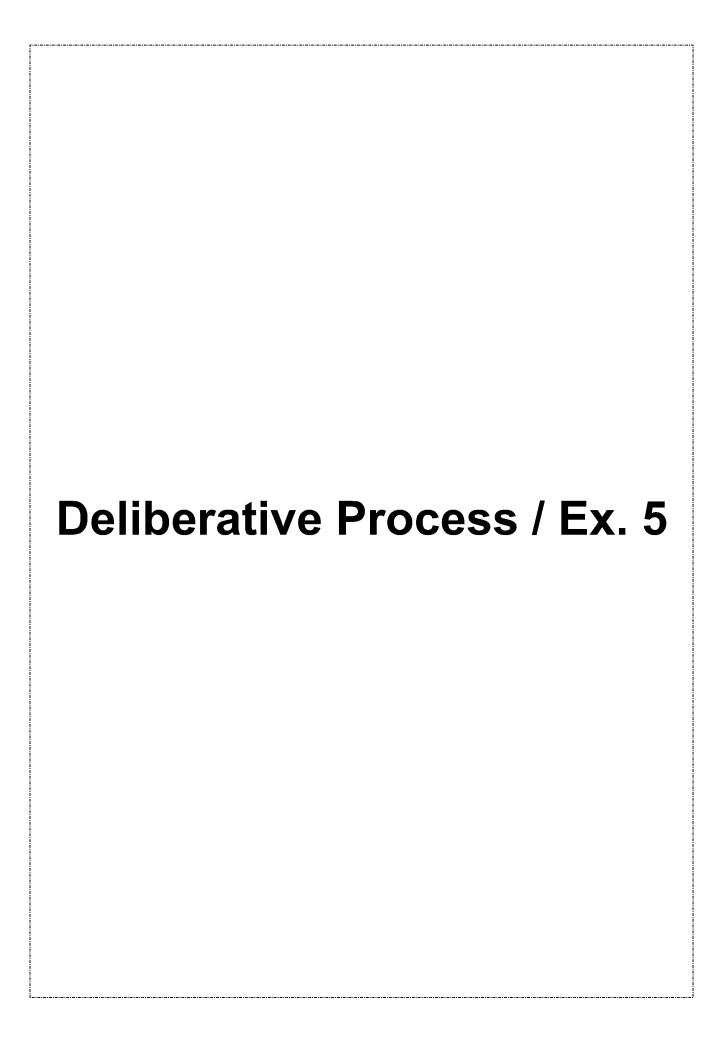


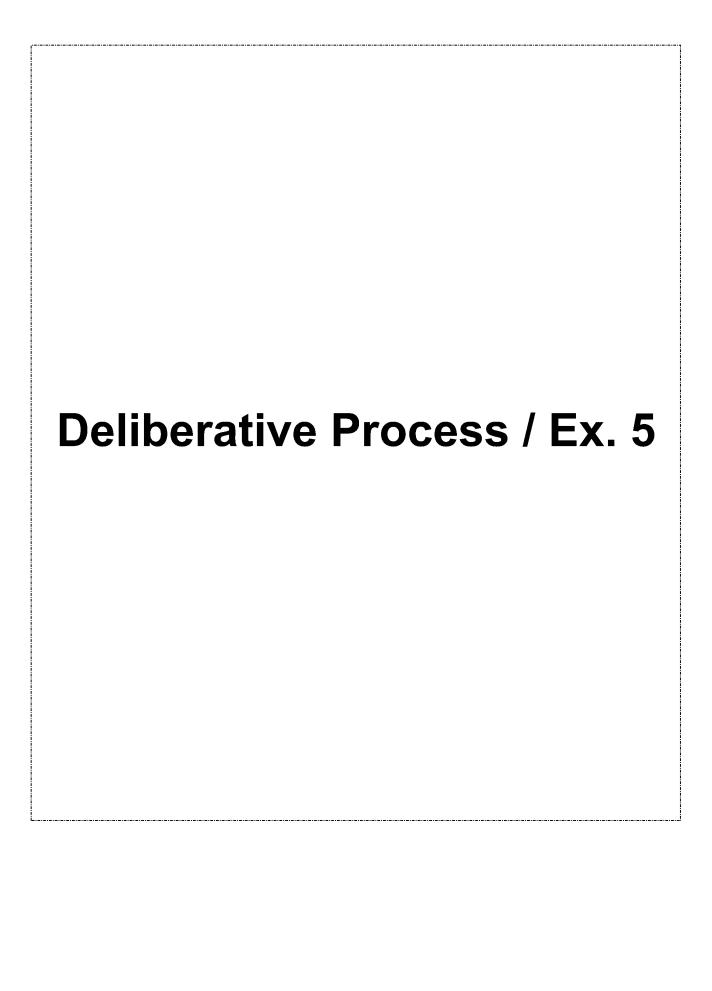


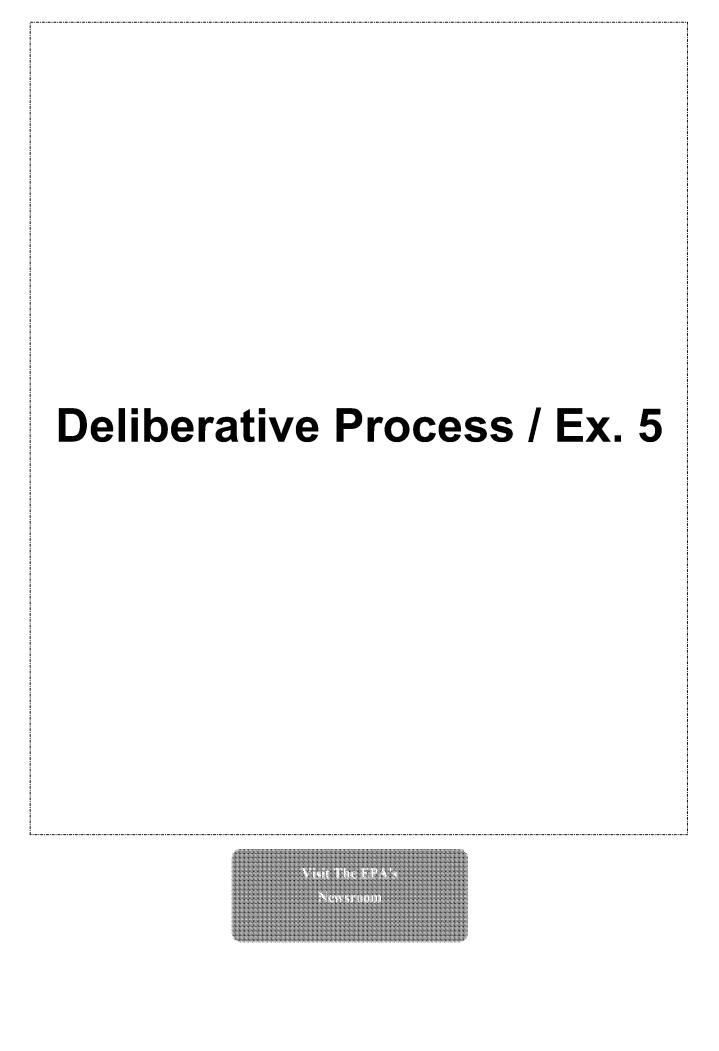














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From: Hewitt, James [hewitt.james@epa.gov]

Sent: 6/4/2018 2:38:02 PM

To: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: FOR REVIEW// EPA Celebrates 500 Days of American Greatness - Preview

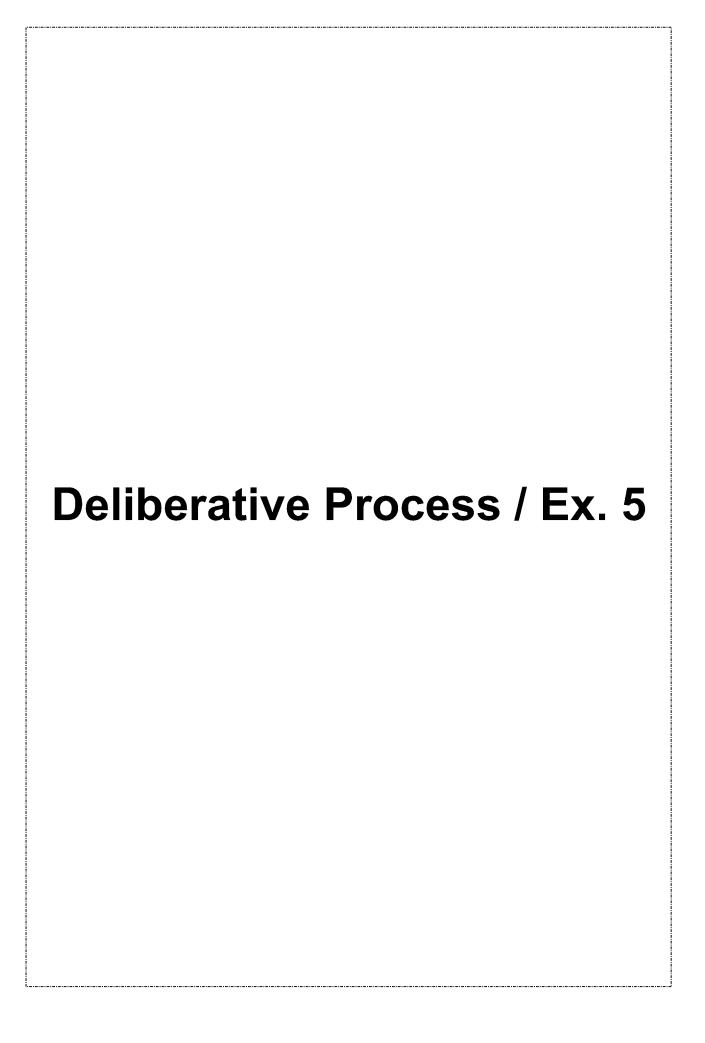
Updated release w/ correct links.

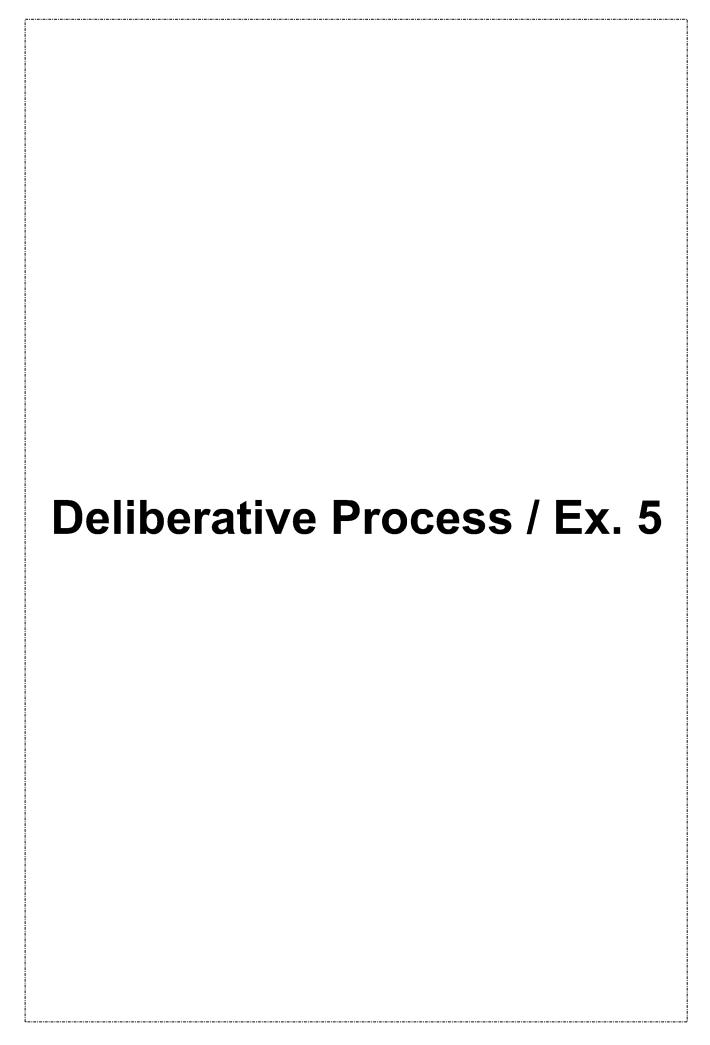
From: EPA Press Office [mailto:press=epa.gov@cmail20.com] On Behalf Of EPA Press Office

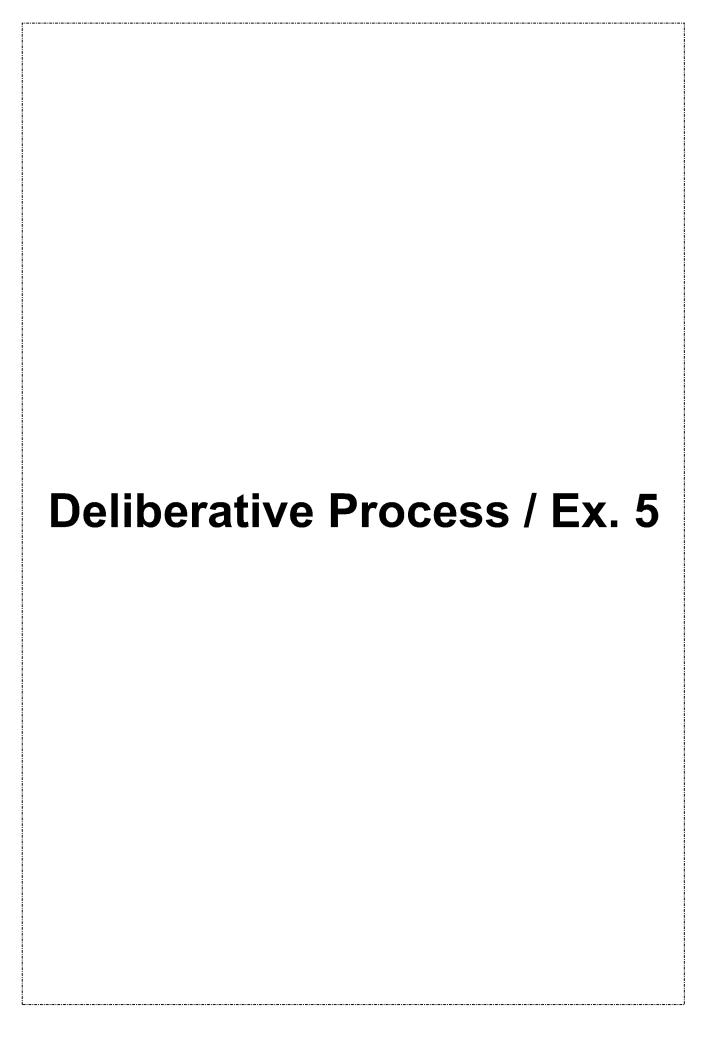
Sent: Monday, June 4, 2018 10:37 AM **To:** Hewitt, James hewitt.james@epa.gov>

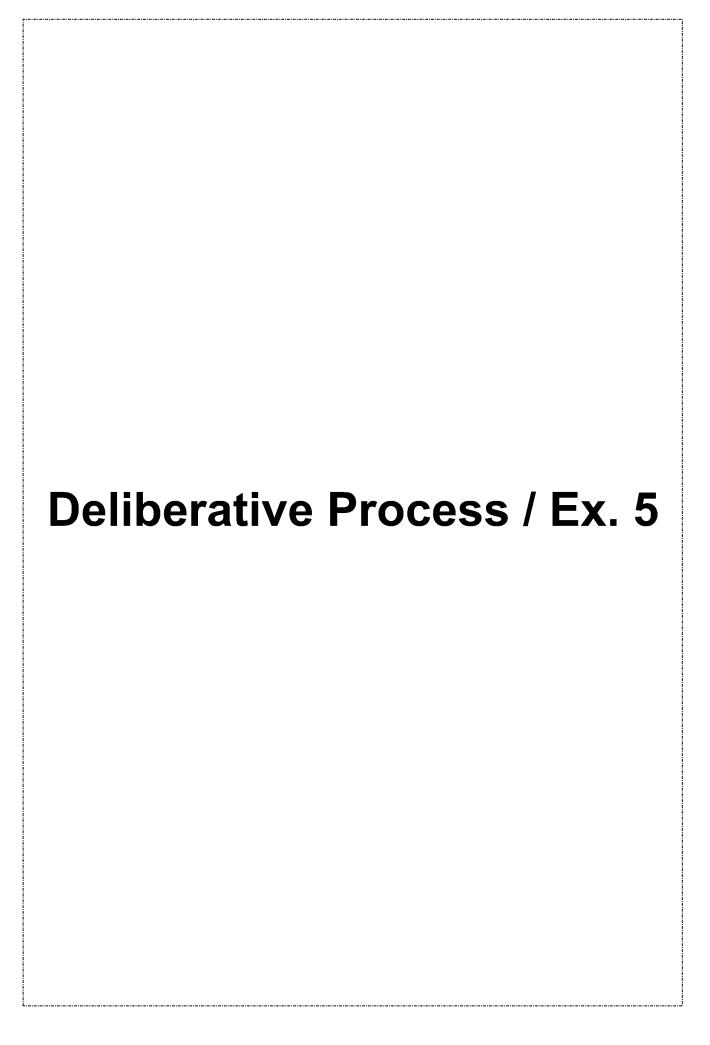
Subject: EPA Celebrates 500 Days of American Greatness - Preview

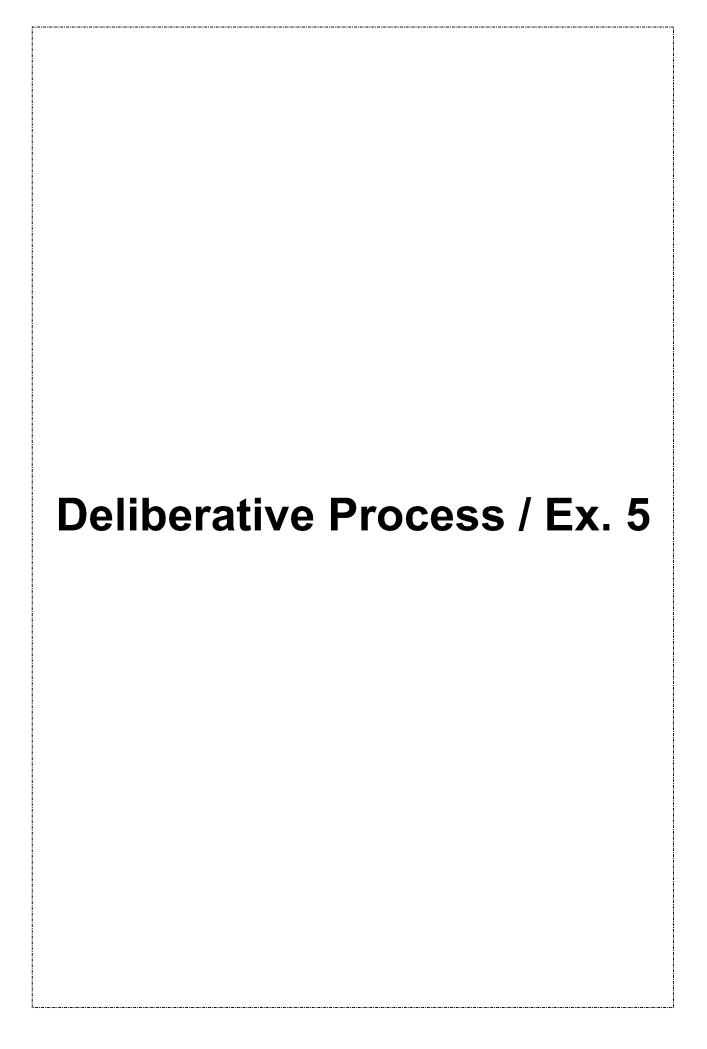
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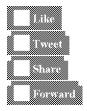




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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 10/11/2018 8:30:31 PM

To: Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Lynn, Tricia

[lynn.tricia@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]

Subject: Open Inquiries, 11 October 2018

No inquiries awaiting response at 4:28 PM; Wynn van Dusen from Last Week Tonight (HBO) is awaiting acknowledgment of his questions from yesterday about Admin. Pruitt; and Michael Biesecker just now pinged on Superfund sites.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Ex.6 (M)

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 4/17/2018 5:33:43 PM

To: Daniell, Kelsi [daniell.kelsi@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]

Subject: RE: FOR APPROVAL - Pruitt email addresses and FOIA

Yes, thank you

From: Daniell, Kelsi

Sent: Tuesday, April 17, 2018 1:21 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>

Subject: FOR APPROVAL - Pruitt email addresses and FOIA

Okay to send this?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 17, 2018 12:33 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Pruitt email addresses and FOIA

Jahan,

AP will be writing on Chairman Barrasso's letter to Administrator Pruitt asking him to affirm that all four epa.gov email addresses assigned to him are searched in response to FOIA requests.

Could you please provide comment on the senator's letter and whether all four addresses are searched? I read prior comments from you that one of them was only used to send test emails, but never actually used by the administrator.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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12.2.2019

ED_002240A_00004179-00001

mbiesecker@ap.org Twitter: @mbieseck

<u>Public Key</u>

T 2	202-641-9445
М	Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Americans for Limited Government [media@limitgov.org]

Sent: 4/16/2018 1:30:33 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: If Michael Cohen lied about not being Prague in 2016, he may have fooled everyone — including CNN, Buzzfeed, the

intelligence community and President Trump

If Cohen somehow got into Germany and back to the U.S. in late August or early September 2016 without anyone knowing including immigration officials — he's a ninja



All The News That Doesn't Fit the Page

April 16, 2018

Permission to republish original op-eds and cartoons granted.

If Michael Cohen lied about not being Prague in 2016, he may have fooled everyone — including CNN, Buzzfeed, the intelligence community and President Trump

If Trump attorney Michael Cohen somehow got into Germany and back into the U.S. in late August or early September 2016 to get to Prague, Czech Republic without anyone knowing including immigration officials — he's a ninja. And he would have fooled everyone — including CNN, the intelligence community and President Trump.

The left is making mountains out of molehills to distract Republicans and the Trump administration

Democrats have never been fans of fiscal conservatism unless it furthers an attack on Republicans. From media outlets to political figures, the left has attempted to convince the American people that various executives within the Trump Administration are wasting taxpayer money on lavish unnecessary expenses. Yet, as the facts prove once again, this is nothing more than an attempt to obstruct the success of this administration with hypocritical claims.

John Tierney: Scott Pruitt, Warrior for Science

"Imagine if the head of a federal agency announced a new policy for its scientific research: from now on, the agency would no longer allow its studies to be reviewed and challenged by independent scientists, and its researchers would not share the data on which their conclusions were based. The response from scientists and journalists would be outrage. By refusing peer review from outsiders, the agency would be rejecting a fundamental scientific tradition. By not sharing data with other researchers, it would be violating a standard transparency requirement at leading scientific journals. If a Republican official did such a thing, you'd expect to hear denunciations of this latest offensive in the 'Republican war on science.'"

If Michael Cohen lied about not being Prague in 2016, he may have fooled everyone — including CNN, Buzzfeed, the intelligence community and President Trump



By Robert Romano

"By the way, we just found out, I was just coming down, Michael Cohen... is a very talented lawyer, he's a good lawyer at my firm, it was just reported that it wasn't this Michael Cohen they were talking about. So, all night long, it's Michael Cohen. I said, I want to see your passport, he brings his passport to my office, I say, hey, wait a minute, he didn't leave the country, he wasn't out of the country. They had, Michael Cohen of the Trump Organization was in Prague. It turned out to be a different Michael Cohen. It's a disgrace, what took place, it's a disgrace, and I think they ought to be apologize, to start with, to Michael Cohen."

That was then-President Elect Donald Trump at his famous <u>CNN is "fake news" press conference</u> on Jan. 11, 2017 calling the Fusion GPS-Christopher Steele dossier — which was paid for by the DNC and the Hillary Clinton campaign — a fake. It had contended that Cohen was in Prague in late August or early September to meet with Russian agents and to clean up the supposed fallout of one-time Trump campaign advisor Carter Page and former campaign manager Paul Manafort allegedly working with Russia to hack the DNC and put the emails onto Wikileaks.

Prior to that news conference, on Jan. 11, 2017, Jake Tapper reported on CNN, <u>corroborating Cohen's account</u>: "Michael Cohen, Trump's lawyer, has been out there because in this uncorroborated report, it talks about Michael Cohen, Trump's official corporate lawyer, making a trip to the Czech Republic. My reporting suggests that people tried to run that down, and they concluded

that it was different Michael Cohen. It was a Michael Cohen with a passport from another country, same birth year, different birth date. So for Michael Cohen to dispute that he was in the Czech Republic, completely confirms and comports with our reporting and it's one of the reasons why the intelligence chiefs did not get specific with these allegations and that's why I hope at the press conference today people are more general and don't get into the specifics because a lot of that stuff just has not been proven."

By Cohen's account, <u>appearing on Hannity on Jan. 11, 2017</u>, he said Trump called him after the Steele dossier story broke and asked if he was ever in Prague, to which the answer was never. "I've never been in Prague... And so he said, 'Michael, I really need to know.' I said, 'Mr. Trump, I have never been to Prague.' He said to me, 'Okay.' I said, 'Do you want to see my passport? I live close to the office.' And he said, 'Yeah, you mind if I see it?' And I said, 'Of course not, you're the President Elect. I'll be there in about two minutes.'"

All along, Cohen contested, he had never been to Prague. In May 2017, he allowed Buzzfeed, which had broken the dossier story, to examine his passport, which took pictures of it: "The stamps indicate he traveled abroad at least four times in 2016: twice to London, once to St. Maarten, and once to Italy in July. The Italian trip is the most intriguing, because it places Cohen in what's known as the Schengen Area: a group of 26 European countries, including the Czech Republic, that allows visitors to travel freely among them without getting any additional passport stamps. Upon entering the Schengen Area, visitors get a rectangular stamp with the date, a country code, their port of entry, and a symbol showing how they entered — such as an airplane or a train. In Cohen's passport, that mark appears on page 17, with a date of July 9. The mark is too faint to be fully legible. The exit stamp, similar but with rounded edges, is also light, but the letters 'cino' are legible, indicating he flew out of Leonardo da Vinci—Fiumicino Airport in Rome. That stamp is dated July 17."

As for London and St. Maarten, "Regarding the three other 2016 stamps in his passport, Cohen said he visited London twice, where his daughter is studying: once in October for a birthday party and again in November for Thanksgiving. He said he vacationed in the Caribbean island of St. Maarten in January."

As for August, <u>stating he was actually with his son at the University of Southern California with his son's baseball coach during that time</u>. The Atlantic confirmed Cohen was on campus on Aug. 29 via a University baseball source. For the month of September, Cohen says he was in New York.

So, on the surface, and from the outset, it appeared the Steele dossier was a big bust. If he wasn't in Prague ever, and hadn't even left the country in the time frame the Steele dossier put him there, then he certainly couldn't have been here talking with Russian agents.

But now McClatchy has reported on April 13 that, Special Counsel Robert Mueller's team is saying that Cohen somehow managed to get in and out of the country without getting his passport stamped. The report states, "investigators have traced evidence that Cohen entered the Czech Republic through Germany, apparently during August or early September of 2016 as the ex-spy reported, said the sources, who spoke on condition of anonymity because the investigation is confidential. He wouldn't have needed a passport for such a trip, because both countries are in the so-called Schengen Area in which 26 nations operate with open borders. The disclosure still left a puzzle: The sources did not say whether Cohen took a commercial flight or private jet to Europe, and gave no explanation as to why no record of such a trip has surfaced."

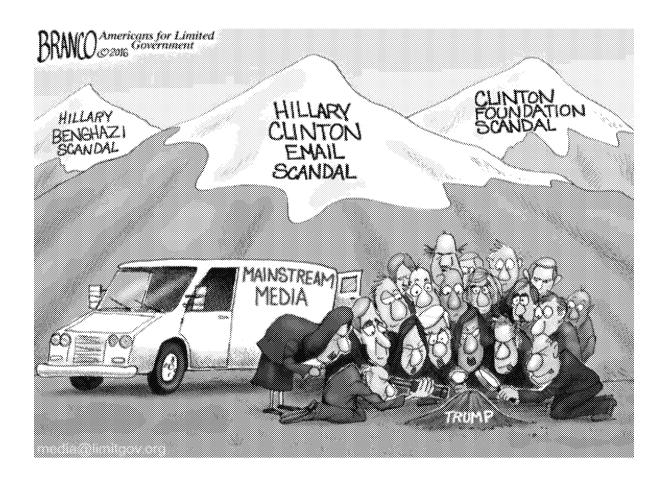
For his part, Cohen is maintaining he was never in Prague. <u>On Twitter, April 14, he stated,</u> "Bad reporting, bad information and bad story by same reporter Peter Stone... No matter how many times or ways they write it, I have never been to Prague. I was in LA with my son. Proven!"

So is it more fake news? At least one part of the report is incorrect. Cohen would have still needed a passport to get to Germany from the U.S. and back again, even if he traveled on ground to Prague. But again, Cohen's passport never puts him in Germany in 2016.

If Cohen somehow got into Germany and back to the U.S. in late August or early September 2016 without anyone knowing including immigration officials — he's a ninja. And he would have fooled everyone — including CNN, the intelligence community and President Trump.

Robert Romano is the Vice President of Public Policy at Americans for Limited Government.

The left is making mountains out of molehills to distract Republicans and the Trump administration



By Natalia Castro

Democrats have never been fans of fiscal conservatism unless it furthers an attack on Republicans. From media outlets to political figures, the left has attempted to convince the American people that various executives within the Trump administration are wasting taxpayer money on lavish unnecessary expenses. Yet, as the facts prove once again, this is nothing more than an attempt to obstruct the success of this administration with hypocritical claims.

Treasury Secretary Steven Mnuchin assisted President Trump in implementing one of the largest tax cut overhauls in our nation's history, so it is no surprise the left has decided to make him a target for attack. Several media outlets, <u>such as the Huffington Post</u>, have reported issues with Mnuchin's travel expenditures, questioning his use of military planes rather than commercial flights.

These attacks are both unwarranted and hypocritical. Last week, the <u>Treasury Department released</u> <u>information</u> regarding the travel of Secretary Mnuchin and his recent predecessors to dispel rumors of abuse.

<u>Treasury reports show</u> that Mnuchin spent about \$1.2 million on travel in FY 2017 and has spent \$781,000 on travel so far in FY 2018, with a majority of his flights using commercial airlines rather than private military planes.

This is significantly less than the roughly \$3.2 million Treasury Secretary Jack Lew spent in FY 2016 on travel or the roughly \$2.2 million Treasury Secretary Timothy Geithner spent in FY 2011 on travel. Both Secretaries served under President Obama.

While Mnuchin *did* spend more in his first year in office than either of his predecessors, the difference of \$135,000 between Mnuchin and Geithner's first-year travel expenses hardly requires outcry by the left, especially considering the inspector general has already reviewed Mnuchin's expenses and saw no violation of the law.

Clearly, the left is promoting baseless attacks to delegitimize a successful member of the Trump administration, and Mnuchin is not alone. Environmental Protection Agency (EPA) Director Scott Pruitt and the Department of Housing and Urban Development (HUD) Secretary Ben Carson have also been victims of repeated attacks regarding expenditures.

Pruitt has been mocked for his expensive spending on travel and security. As <u>Michael Biesecker of the Chicago Tribune</u> reported, "Environmental Protection Agency chief Scott Pruitt's concern with his safety came at a steep cost to taxpayers as his swollen security detail blew through overtime budgets and at times diverted officers away from investigating environmental crimes. Altogether, the agency spent millions of dollars for a 20-member full-time detail that is more than three times the size of his predecessor's part-time security contingent."

But three times the expenses on security should not be a point of criticism about Pruitt but instead on the people requiring Pruitt to act in this way.

The EPA's assistant inspector general for investigations, Patrick Sullivan, told <u>CNN on Nov. 2017</u>, "We have at least four times — four to five times the number of threats against Mr. Pruitt than we had against [Obama's EPA Chief] Ms. McCarthy... They run the variety of direct death threats — 'I'm

going to put a bullet in your brain' — to implied threats — 'if you don't classify this particular chemical in this particular way, I'm going to hurt you.'"

Additionally, the <u>Washington Examiner reported on Feb. 2018</u>; the EPA currently has 70 open probes into threats against Pruitt and his family. *This* is the reason the EPA's Criminal Investigations Division decided to provide Pruitt with a 24/7 security detail to ensure his and his family's safety.

Pruitt did not become EPA director and decide he wanted lavish travel and constant security; the threats levied against his family by the left caused him to *need* this expensive security detail. Liberals created this problem and are now blaming Pruitt for being a victim.

Meanwhile, at HUD, Congressional Democrats such as Sherrod Brown (D-Ohio), have called Carson's spending of \$31,000 on furniture for HUD offices "extremely disturbing" and led Congressional probes into Carson's spending.

While Carson has admitted his spending should have been better controlled, it is by no means excessive compared to previous administrations.

As the <u>Washington Free Beacon reported in Feb. 2015</u>, the Obama Administration's Department of Homeland Security (DHS) spent \$147.7 million on furniture between FY 2010 and FY 2014. This included \$1.1 million for furniture in a single Vermont office, \$2.4 million for furniture in a single D.C. office and \$163,856 for "waiting room seating" in one office in 2014.

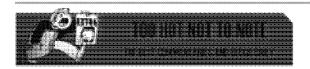
Obama's DHS also spent an incredible \$148, 809 for "aluminum folding tables in support of Sandy Recovery Office" a full two years after Hurricane Sandy occurred in 2012. To be clear, <u>a single aluminum folding table on Amazon is \$39.99</u>, Obama's DHS could have purchased nearly 4,000 tables with these funds for an office quickly becoming purposeless, yet the left is attacking the Trump Administration for improper spending.

Despite all this, Carson is still trying to prevent this abuse and misuse of funds from being allowed in his office, even if he is barely a culprit.

Last month, Carson introduced new financial controls "to enhance department's fiscal strength and integrity." In a press release, Carson explains, "We simply need to do better. An updated system of internal controls will provide our agency with greater certainty that the dollars we spend are spent in a manner that satisfies all laws and regulations, and most importantly, the American people. We will approach this as any business would by increasing transparency and accountability."

The Trump Administration is working tirelessly to eliminate waste and introduce successful policy. Naturally this scares the left. While politicians and the liberal media continue to make baseless claims against this administration, individuals such as Mnuchin, Pruitt, and Carson must continue fighting for better policy for the people. Whether you believe excessive spending by executives is not an issue at all or one that has plagued every modern administration, the reality is it is *not* a uniquely Republican issue, and the left's attempts to frame it as one must be rejected.

Natalia Castro is a contributing editor at Americans for Limited Government.



ALG Editor's Note: In the following piece from City Journal, John Tierney describes how Scott Pruitt is bring science back to the EPA and the absolute breakdown the left is having because they can no longer peddle science without showing their work:

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Scott Pruitt, Warrior for Science

By John Tierney

Imagine if the head of a federal agency announced a new policy for its scientific research: from now on, the agency would no longer allow its studies to be reviewed and challenged by independent scientists, and its researchers would not share the data on which their conclusions were based. The response from scientists and journalists would be outrage. By refusing peer review from outsiders, the agency would be rejecting a fundamental scientific tradition. By not sharing data with other researchers, it would be violating a standard transparency requirement at leading scientific journals. If a Republican official did such a thing, you'd expect to hear denunciations of this latest offensive in the "Republican war on science."

That's the accusation being hurled at Scott Pruitt, the Republican who heads the Environmental Protection Agency. But Pruitt hasn't done anything to discourage peer review. In fact, he's done the opposite: he has called for the use of more independent experts to review the EPA's research and has just announced that the agency would rely only on studies for which data are available to be shared. Yet Democratic officials and liberal journalists have denounced these moves as an "attack on science," and Democrats have cited them (along with accusations of ethical violations) in their campaign to force Pruitt out of his job.

How could "the party of science," as Democrats like to call themselves, be opposed to transparency and peer review? Because better scientific oversight would make it tougher for the EPA to justify its costly regulations. To environmentalists, rigorous scientific protocols are fine in theory, but not in practice if they interfere with the green political agenda. As usual, the real war on science is the one waged from the left.

The EPA has been plagued by politicized science since its inception in 1970. One of its first tasks was to evaluate the claim, popularized in Rachel Carson's *Silent Spring*, that the use of DDT pesticide was causing an epidemic of cancer. The agency held extensive hearings that led to the conclusion that DDT was not a carcinogen, a finding that subsequent research would confirm. Yet the EPA administrator, William Ruckelshaus, reportedly never even bothered to read the scientific testimony. Ignoring the thousands of pages of evidence, he declared DDT a potential carcinogen and banned most uses of it.

Since then, the agency has repeatedly been criticized for relying on weak or cherry-picked evidence to promote needless alarms justifying the expansion of its authority (and budget). Its warnings about BPA, a chemical used in plastics, were <u>called unscientific by leading researchers in the field</u>. Its conclusion that secondhand smoke was killing thousands of people annually was ruled by a judge to be in violation of "scientific procedure and norms"—and was <u>firmly debunked by later research</u>.

To justify the costs of the Obama administration's Clean Power Plan restricting coal-burning power plants, the EPA relied on a controversial claim that a particular form of air pollution (from small particulates) was responsible for large numbers of premature deaths. To reach that conclusion, the <u>agency ignored contradictory evidence</u> and chose to rely on 1990s research whose methodology and conclusions were open to question. The EPA's advisory committee on air pollution, a group of outside scientists, was sufficiently concerned at the time to ask to see the supporting data. But the researchers and the EPA refused to share the data, citing the confidentiality of the medical records involved, and they have continued refusing demands from Congress and other researchers to share it, as Steve Milloy recounts in his book, <u>Scare Pollution: Why and How to Fix the EPA</u>.

Pruitt's new policy will force the EPA to rely on studies for which data is available to other researchers, ensuring the transparency that enables findings to be tested and confirmed. So why is he being attacked? His critics argue that some worthwhile research will be ignored because it is based on confidential records that are impractical to share. They say that it would cost the EPA several hundred million dollars to redact personal medical information in the air-pollution studies used to justify the Obama administration's Clean Power Plan. But even if that estimate is correct—it seems awfully high—it's a pittance compared with the costs of the EPA's regulations. The Obama EPA estimated the annual cost of its Clean Power Plan at \$8 billion; others estimated it at more than \$30 billion. Before saddling utility customers with those higher bills year after year, the EPA could at least pay for reliable research.

Click here for the full story.

Americans for Limited Government 10332 Main Street # 326None Fairfax Virginia 22030 United States

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Bowman, Liz [Bowman.Liz@epa.gov]

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Sent:	3/2/2018 9:35:29 PM					
To:	Hewitt, James [hewitt.james@epa.gov]					
CC:	Wilcox, Jahan [wilcox.jahan@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov] Abboud, Michael [abboud.michael@epa.gov]					
Subject:						
-						
Ok						
On Mar	² , 2018, at 4:30 PM, Hewitt, James < <u>hewitt.james@epa.gov</u> > wrote:					
	Revised version with Molly's edit looks better, I'll send once ok'd: Deliberative Process / Ex. 5 Deliberative Process / Ex. 5					
	From: Bowman, Liz					
	Sent: Friday, March 2, 2018 4:24 PM					
	To: Hewitt, James < hewitt.james@epa.gov >					
	Cc: Wilcox, Jahan < wilcox.jahan@epa.gov >; Daniell, Kelsi < daniell.kelsi@epa.gov >; Block, Molly					
	< <u>block.molly@epa.gov</u> >; Abboud, Michael < <u>abboud.michael@epa.gov</u> >					
	Subject: Re: Peter Wright Nominated to Lead EPA's Office of Land and Emergency Management					
	Sure					
	On Mar 2, 2018, at 3:49 PM, Hewitt, James < hewitt.james@epa.gov > wrote:					
	Suggested response: Deliberative Process / Ex. 5					
	From: Biesecker, Michael [mailto:MBiesecker@ap.org]					
	Sent: Friday, March 2, 2018 3:47 PM					
	To: Bowman, Liz < <u>Bowman.Liz@epa.gov</u> >; Wilcox, Jahan < <u>wilcox.jahan@epa.gov</u> >					
	Cc: Press < Press@epa.gov>					
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	Liz, Jahan,					
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	Thanks,					
	Michael					



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Sent: 3/2/2018 9:29:59 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: Peter Wright Nominated to Lead EPA's Office of Land and Emergency Management

Revised version with Molly's edit looks better, I'll send once ok'd:

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Subject: Re: Peter Wright Nominated to Lead EPA's Office of Land and Emergency Management

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Sent: Friday, March 2, 2018 3:47 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov>

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CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov];

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CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov];

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Subject: Re: Peter Wright Nominated to Lead EPA's Office of Land and Emergency Management

Optional addition in bold

Sent from my iPhone

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[hewitt.james@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov]; Beach,

Christopher [beach.christopher@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: RE: EPA 5-year strategic plan and climate change

Good, thank you

From: Abboud, Michael

Sent: Tuesday, February 13, 2018 3:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Block, Molly <block.molly@epa.gov>; Beach,

Christopher <beach.christopher@epa.gov>; Konkus, John <konkus.john@epa.gov>

Subject: FW: EPA 5-year strategic plan and climate change

Draft response based on our Strategic Plan language and a statement we gave yesterday on the budget.

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, February 13, 2018 3:44 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>

Subject: EPA 5-year strategic plan and climate change

Jahan,

AP is following up on the White House budget proposal from yesterday by looking at efforts across the federal government to cut funding for studying and tracking climate change while boosting fossil fuels.

Among the details the story will note is the absence of the terms "climate change" and "global warming" from EPA's 47-page strategic plan for the next five years.

Please provide on-the-record comment on why the nation's primary agency for protecting the environment and human health would choose to completely deemphize this issue.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445

M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 2/12/2018 7:59:28 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell,

Kelsi [daniell.kelsi@epa.gov]

Subject: Re: APPROVAL: Proposed FTE reductions for FY2019

Can you run this by Ryan?

Sent from my iPhone

On Feb 12, 2018, at 2:48 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Monday, February 12, 2018 1:33 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: Re: Proposed FTE reductions for FY2019

I am on my way to a meeting but will get back to you in 45 minutes.

On Feb 12, 2018, at 1:30 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

The Senate budget agreement is still not yet the law of the land, so we are obligated to report out President Trump's proposal. We are doing that for every agency.

So, the White House's budget calls for reducing EPA's workforce by more than 20 percent, from 15,408 full-time positions in the FY18 continuing resolution to 12,250 for FY19.

Do you have a number for what current staffing at the agency is now compared to a year ago?

Can you provide any detail on how the agency's leadership intends to accomplish those staffing reductions? Attrition? Buyouts? Layoffs?

Administrator Pruitt has been pretty upfront about his desire to shrink EPA. Seems like you would want to tout the FTE reductions as a deliverable.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, February 12, 2018 1:24 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Proposed FTE reductions for FY2019

I thought the AP did a good job on this story from the weekend.

The Latest on President Donald Trump's budget proposal (all times local):

The Associated Press February 11, 2018

http://www.startribune.com/politics/national/473737333.html

President Donald Trump's 2019 budget heading for Congress is already outdated, thanks to last Friday's bipartisan budget deal.

The president's proposed fiscal blueprint was completed before the budget pact delivered a two-year, almost \$300 billion increase above prior "caps" on spending. That separate agreement drives a stake into White House promises last year to take a meat ax to domestic agencies and eventually bring the budget back into the black.

The 2019 budget to be unveiled Monday was designed to double down on last year's proposals to slash foreign aid, the Environmental Protection Agency, home heating assistance and other nondefense programs funded by Congress each year.

Trump would again spare Social Security retirement benefits and Medicare.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, February 12, 2018 1:17 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: Proposed FTE reductions for FY2019

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The White House's budget calls for reducing EPA's workforce by more than 20 percent, from 15,408 full-time positions in the FY18 continuing resolution to 12,250 for FY19. Do you have a number for what current staffing at the agency is now compared to a year ago?

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Michael



<image002.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 2/7/2018 4:59:14 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: APPROVAL

A few small edits:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, February 7, 2018 11:55 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>;

Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: APPROVAL

Yes, he made that statement in his interview with the New York Times.

https://www.nytimes.com/2018/02/02/podcasts/the-daily/scott-pruitt-epa.html

Here is our statement:

Deliberative Process / Ex. 5

BACKGROUND ...

Al Gore's Claim About the Snow on Mount Kilimanjaro. "Al Gore has made the disappearing snows of Mount Kilimanjaro a cornerstone of his crusade against global warming. In his film 'An Inconvenient Truth' for example, he says: 'Within the decade, there will be no more snows of Kilimanjaro.'" (Fox News, 06/13/17)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, February 7, 2018 11:21 AM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Pruitt's suggestion global warming could be a good thing

Liz, Jahan,

AP will be fact checking Administrator Pruitt's suggestion that a warming climate could be positive for humanity, that the amount of warming attributable to man can't be measured with precision, and that it's "arrogant" to believe we should know what surface temperatures should be in the year 2100.

Can EPA provide any scientific studies or other sources to back up the administrator's claims?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/26/2018 5:31:48 PM

To: Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: FW: AP: EPA ends clean air policy opposed by fossil fuel interests, 1/26/18

From: Hassell, Emily

Sent: Friday, January 26, 2018 10:41 AM

To: AO OPA Individual News Clips <AO_OPA_Ind_News_Clips@epa.gov> **Subject:** AP: EPA ends clean air policy opposed by fossil fuel interests, 1/26/18

AP

https://apnews.com/646836ad590c4230b730fc17cfbcb967/EPA-ends-clean-air-policy-opposed-by-fossil-fuel-interests

EPA ends clean air policy opposed by fossil fuel interests

By Michael Biesecker, 1/26/18

WASHINGTON (AP) — The Trump administration announced Thursday it is doing away with a decades-old air emissions policy opposed by fossil fuel companies, a move that environmental groups say will result in more pollution.

The Environmental Protection Agency said it was withdrawing the "once-in always-in" policy under the Clean Air Act, which dictated how major sources of hazardous air pollutants are regulated. Under the EPA's new interpretation, such "major sources" as coal-fired power plants can be reclassified as "area sources" when their emissions fall below mandated limits, subjecting them to differing standards.

Though formal notice of the reversal has not yet been filed, EPA said the policy it has followed since 1995 relied on an incorrect interpretation of the landmark anti-pollution law.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," said Bill Wehrum, assistant administrator of EPA's Office of Air and Radiation. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

Prior to his confirmation by the GOP-dominated Senate in November, Wehrum worked as a lawyer representing fossil fuel and chemical companies. The American Petroleum Institute was among the industry groups that had called for the longstanding policy to be scraped.

The Clean Air Act defines a "major source" as a one that has the potential to emit 10 tons or more per year of any hazardous air pollutant, or 25 tons per year of any combination of hazardous air pollutants. For more than 20 years, EPA's "once-in always-in" required major sources to remain subject to stricter control standards, even if they took steps to reduce their pollution below the threshold.

Republicans quickly cheered the move by EPA Administrator Scott Pruitt, especially those from states that produce oil, gas and coal.

"The EPA's decision today is consistent with President Trump's agenda to keep America's air clean and our economy growing," said Senate Environment Committee Chairman John Barrasso of Wyoming. "Withdrawal of this policy means

manufacturers, oil and gas operations, and other types of industrial facilities will have greater incentive to reduce emissions."

Environmentalists predicted the change would drastically weaken limits on toxic heavy metals emitted from power-plant smokestacks.

"This is among the most dangerous actions that the Trump EPA has taken yet against public health," said John Walke, the director for clean air issues at the Natural Resources Defense Council. "Rolling back longstanding protections to allow the greatest increase in hazardous air pollutants in our nation's history is unconscionable.

John Coequyt, who leads climate policy initiatives for the Sierra Club, said the move will lead directly to dirtier air and more deaths.

"Trump and Pruitt are essentially creating a massive loophole that will result in huge amounts of toxic mercury, arsenic, and lead being poured into the air we breathe, meaning this change is a threat to anyone who breathes and a benefit only to dangerous corporate polluters," Coequyt said.

From: Bennett, Tate [Bennett.Tate@epa.gov]

Sent: 1/24/2018 2:51:53 AM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Fwd: Wapo piece on Superfund

Begin forwarded message:

From: Patrick carolan < pcarolan@franciscanaction.org >

Date: January 23, 2018 at 9:49:37 PM EST **To:** "Bennett, Tate" < <u>Bennett.Tate@epa.gov</u>> **Subject: Re: Wapo piece on Superfund**

Thanks i will share it

On January 23, 2018, at 9:44 PM, "Bennett, Tate" < Bennett. Tate@epa.gov > wrote:

Thought your folks might want to see.

Washington Post

https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e

At Superfund sites, Scott Pruitt could flip his industry-friendly script By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly ... The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective

cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

From: Bennett, Tate [Bennett.Tate@epa.gov]

Sent: 1/24/2018 2:34:45 AM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script

Thanks! On it

On Jan 23, 2018, at 5:28 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

WaPo story to push around

Washington Post

https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e

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From: Woolford, James [Woolford.James@epa.gov]

Sent: 1/23/2018 6:59:01 PM

To: Abboud, Michael [abboud.michael@epa.gov]

CC: Kelly, Albert [kelly.albert@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Fonseca, Silvina

[Fonseca.Silvina@epa.gov]; Epp, Timothy [Epp.Timothy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt,

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To: Abboud, Michael [abboud.michael@epa.gov]

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Sent: 1/23/2018 5:19:46 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

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The Washington Post January 23, 2018

https://www.washingtonpost.com/national/health-science/

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/23/2018 5:14:07 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Falvo, Nicholas

[falvo.nicholas@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Epp, Timothy [Epp.Timothy@epa.gov];

Woolford, James [Woolford.James@epa.gov]

CC: Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov];

Hewitt, James [hewitt.james@epa.gov]

Subject: RE: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Thanks, Michael. Appreciate everyone's team effort on being available to work with OPA and talk with the reporters on this issue.

From: Abboud, Michael

Sent: Tuesday, January 23, 2018 11:33 AM

To: Kelly, Albert <kelly.albert@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Fonseca, Silvina

<Fonseca.Silvina@epa.gov>; Epp, Timothy <Epp.Timothy@epa.gov>; Woolford, James <Woolford.James@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>;

Wilcox, Jahan <wilcox.jahan@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: FW: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Wanted to flag for you guys. I thought it turned out fairly well, let us know if you want us to clarify anything.

I like this line from Dawn Chapman in West Lake.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

From: Hassell, Emily

Sent: Tuesday, January 23, 2018 11:28 AM

To: AO OPA Individual News Clips < AO OPA Ind News Clips@epa.gov>

Subject: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Washington Post

 $\frac{https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e_script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/science/at-sci$

At Superfund sites, Scott Pruitt could flip his industry-friendly script

By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly... The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

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He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

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"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:07:06 PM

To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]; Carignan, Sylvia [scarignan@bloombergenvironment.com]

CC: Abboud, Michael [abboud.michael@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

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The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018

https://www.washingtonpost.com/national/health-science/

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/18/2018 7:33:49 PM

To: Falvo, Nicholas [falvo.nicholas@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell,

Kelsi [daniell.kelsi@epa.gov]

Subject: FW: Breen testimony before Energy and Commerce

This is all we will say.

From: Wilcox, Jahan

Sent: Thursday, January 18, 2018 2:32 PM

To: Feldman, Carole <CFeldman@ap.org>; 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Breen testimony before Energy and Commerce

Michael, you are making deliberately false claims about our website. All the content from the previous administration is still easily accessible and publicly available-through the banner at the top of www.epa.gov. Nice try.

 "Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 1:47 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < <u>Press@epa.gov</u>>; Kelly, Albert < <u>kelly.albert@epa.gov</u>> **Subject:** RE: Breen testimony before Energy and Commerce

In addition, Breen testified that climate change poses a significant risk to Superfund sites and the "We have to respond to climate change, that's just part of our mission set." Further, Breen said the agency needs to account for the expected impacts of climate change in its planning for Superfund cleanups.

The Superfund Task Force report released last summer makes no mention of climate change or the risks posed by storm-induced flooding or sea level rise. Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites.

Does the agency's top-level administration, including Administrator Pruitt and Superfund Task Force leader Kell Kelly agree with Breen's testimony? If so, what specific actions is EPA taking to help mitigate the risks to Superfund sites posed by the changing climate.

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 12:02 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov >; 'kelly.albert@epa.gov' < kelly.albert@epa.gov >

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Falvo, Nicholas [falvo.nicholas@epa.gov]

Sent: 1/17/2018 8:35:01 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Bowman, Liz [Bowman, Liz@epa.gov];

Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]

Subject: RE: APPROVAL: House Superfund hearing tomorrow

Works for me.

From: Wilcox, Jahan

Sent: Wednesday, January 17, 2018 3:34 PM

To: Falvo, Nicholas <falvo.nicholas@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>;

Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Konkus, John

<konkus.john@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>

Subject: APPROVAL: House Superfund hearing tomorrow

Aaron and I have wrote this statement. Nick, please let me know if you have any concerns.

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 3:18 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: House Superfund hearing tomorrow

Liz, Jahan,

Members of the House Energy and Commerce Committee say that Kell Kelly had been set to testify tomorrow as part of an oversight hearing Modernizing the Superfund Program. Last week, the committee received word from EPA that Kelly had an unavoidable schedule conflict. Can you guys provide anything about why he is unable to be there?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

1100 13 St. NW, Suite 700

Reporter mbiesecker@ap.org Twitter: @mbieseck Washington, D.C. 20005-4076

 Twitter: @mbieseck
 T 202-641-9445

 Public Key
 M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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ONE HUNDRED FIFTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 Rayburn House Office Building Washington, DC 20515-6115

Majority (202) 225-2927 Minority (202) 225-3641

January 11, 2018

Mr. Barry Breen
Principal Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Breen:

Thank you for agreeing to testify at the Subcommittee on Environment hearing on Thursday, January 18, 2017, at 10:15 a.m. in 2322 Rayburn House Office Building. The hearing is entitled "Modernizing the Superfund Cleanup Program."

The attached documents provide important details concerning the preparation and presentation of your testimony.

- The first attachment describes the form your testimony must take.
- The second attachment provides you with Electronic Format Guidelines that detail how to file testimony electronically.
- The third attachment provides you the Rules for the Committee on Energy and Commerce.
- The fourth attachment provides you with a Truth-in-Testimony Disclosure form and a Truth-in-Testimony instruction sheet.

Please be aware that, in accordance with the Committee's usual practice, witnesses have a right to be represented by counsel, who may advise the witnesses on their Constitutional rights, but cannot testify. In addition, hearings are open to audio, video, and photographic coverage by accredited press representatives only.

Mr. Barry Breen Page 2

If you have any questions concerning any aspect of your testimony, please contact Tina Richards or Mary Martin of the Energy and Commerce Committee staff at (202) 225-2927.

Sincerely,

Chairman

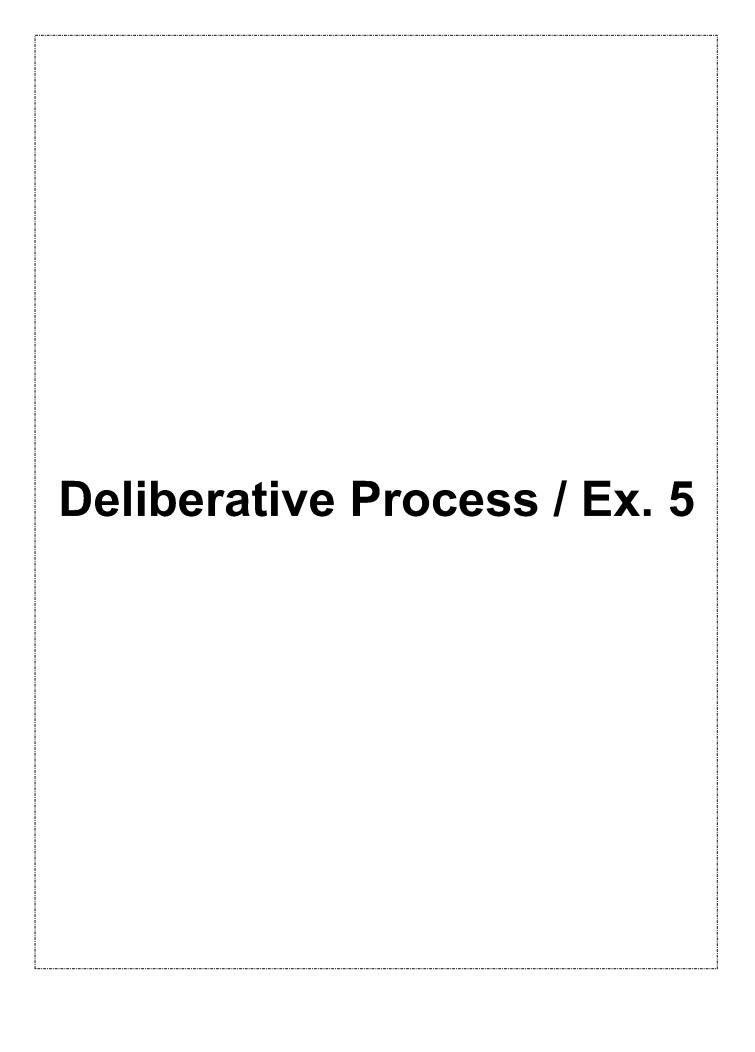
Subcommittee on Environment

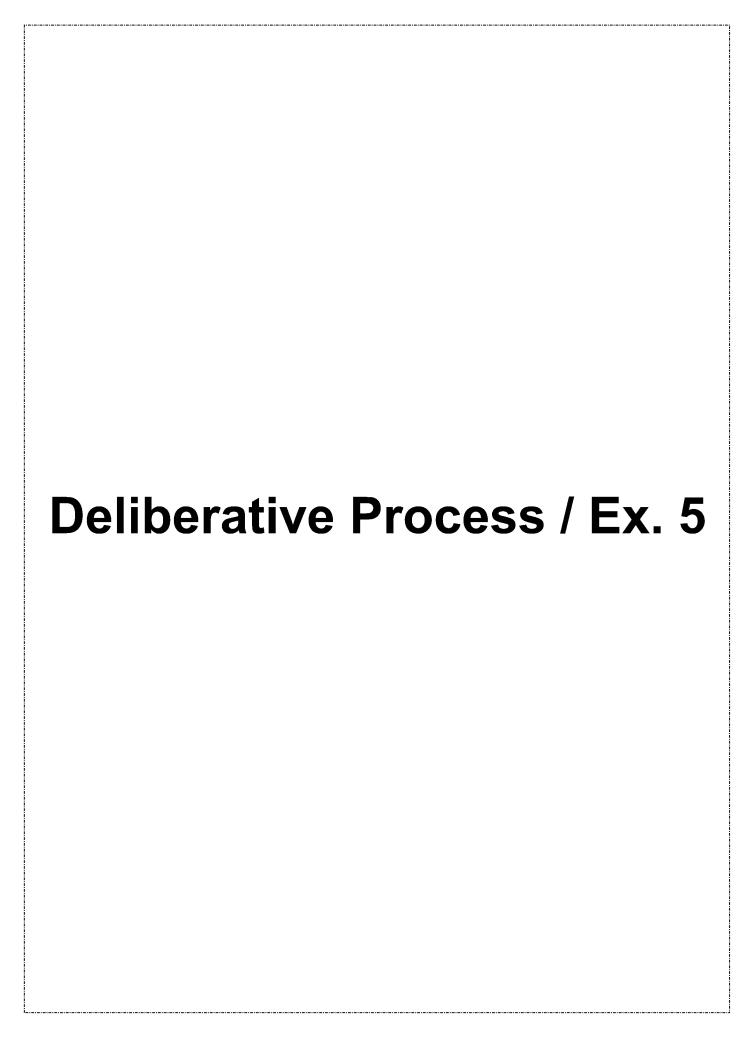
Enclosures:

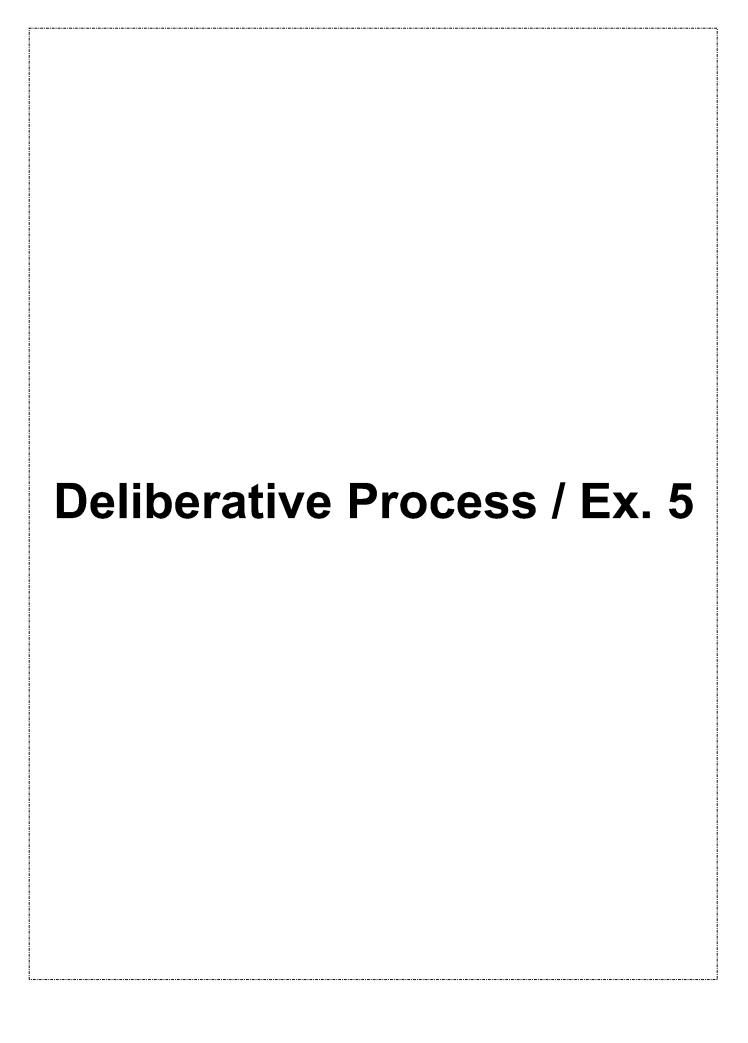
- (1) Form of Testimony
- (2) Electronic Format Guidelines
- (3) Rules for the Committee on Energy and Commerce
- (4) Truth-in-Testimony Disclosure form

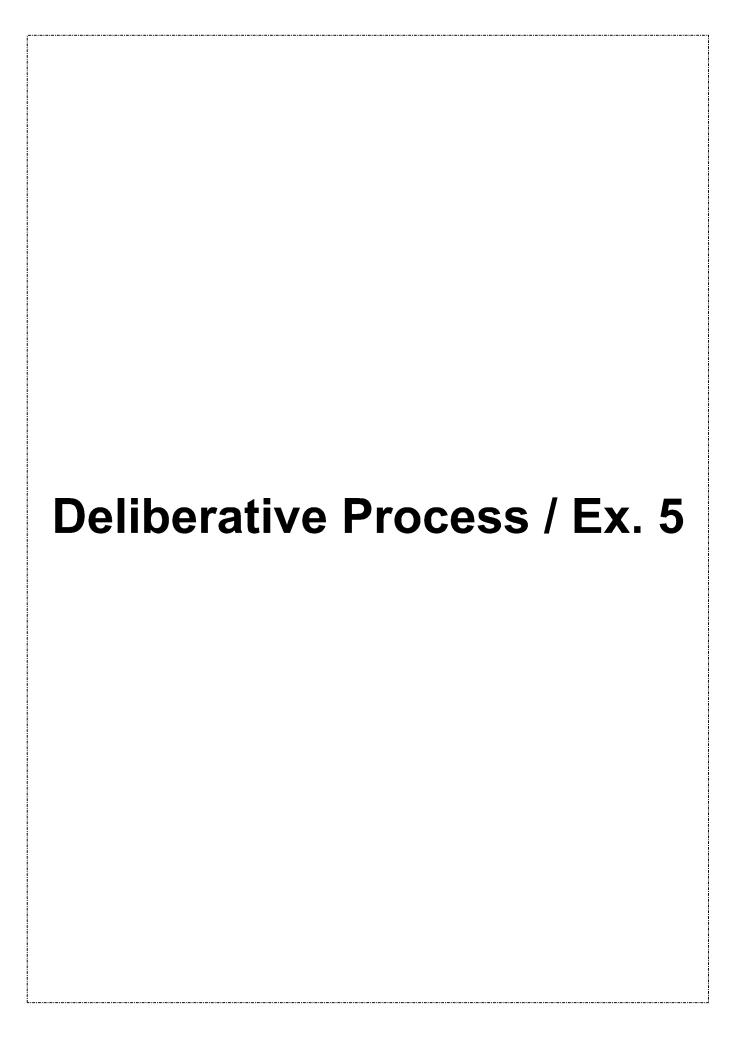
Message From: Bowman, Liz [Bowman.Liz@epa.gov] 1/11/2018 2:51:00 PM Sent: To: Block, Molly [block.molly@epa.gov] CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov] Re: FOR APPROVAL: EPA News Highlights 1.11.18 Subject: Thx Sent from my iPhone On Jan 11, 2018, at 8:49 AM, Block, Molly

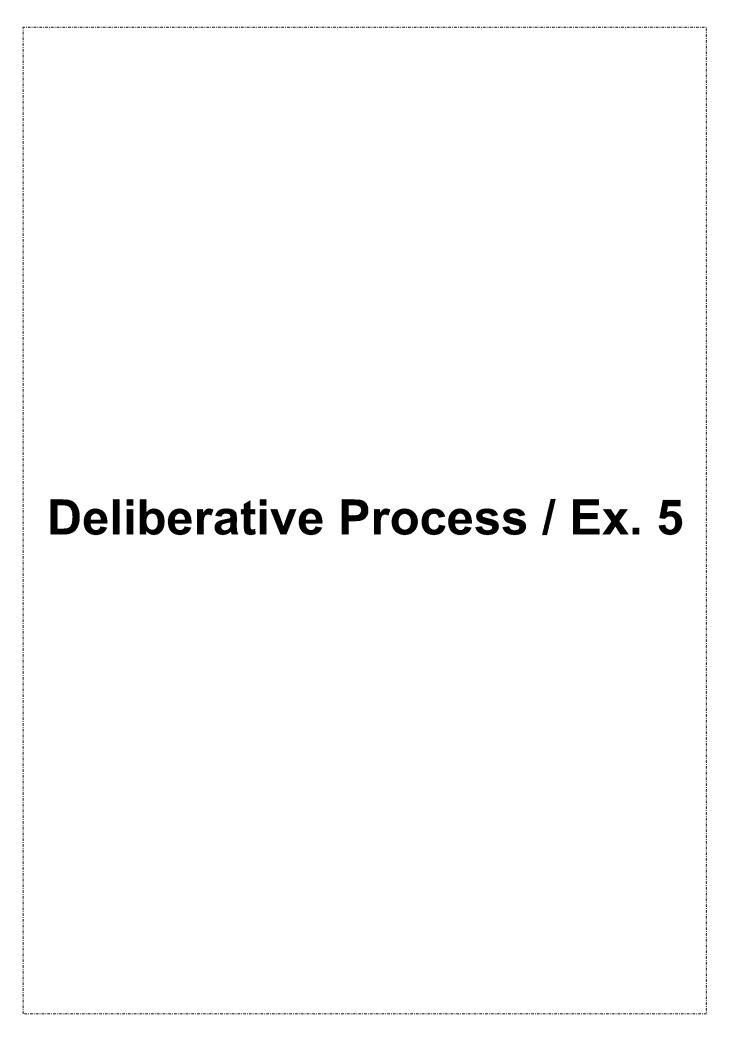
block.molly@epa.gov> wrote: **Deliberative Process / Ex. 5**

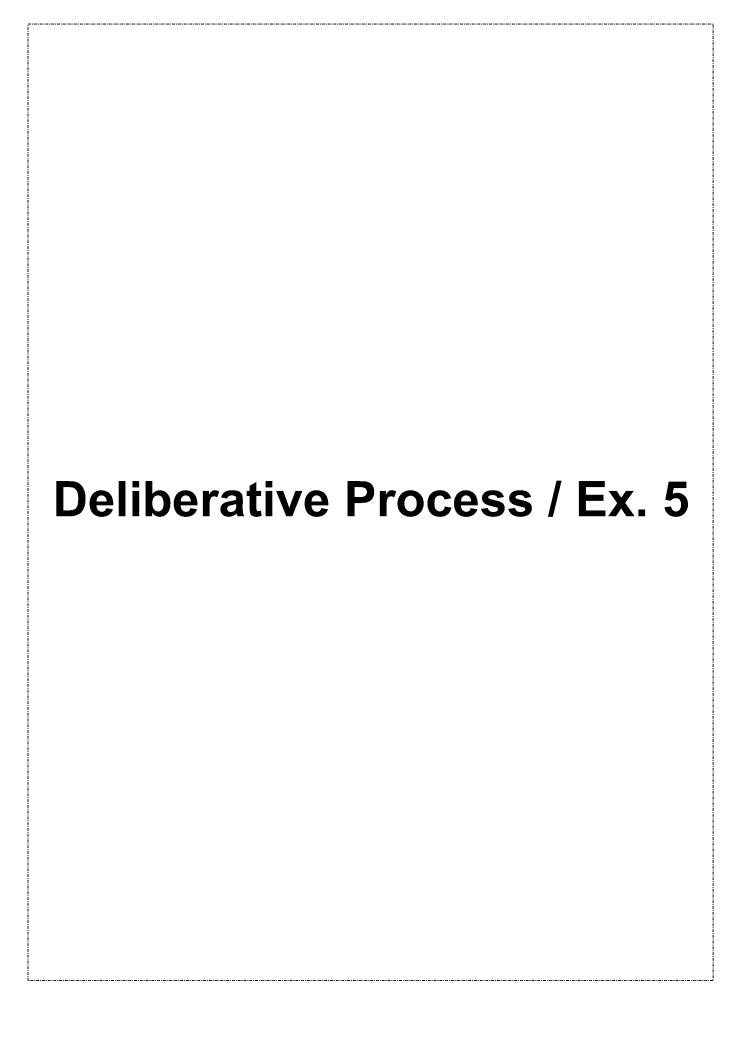


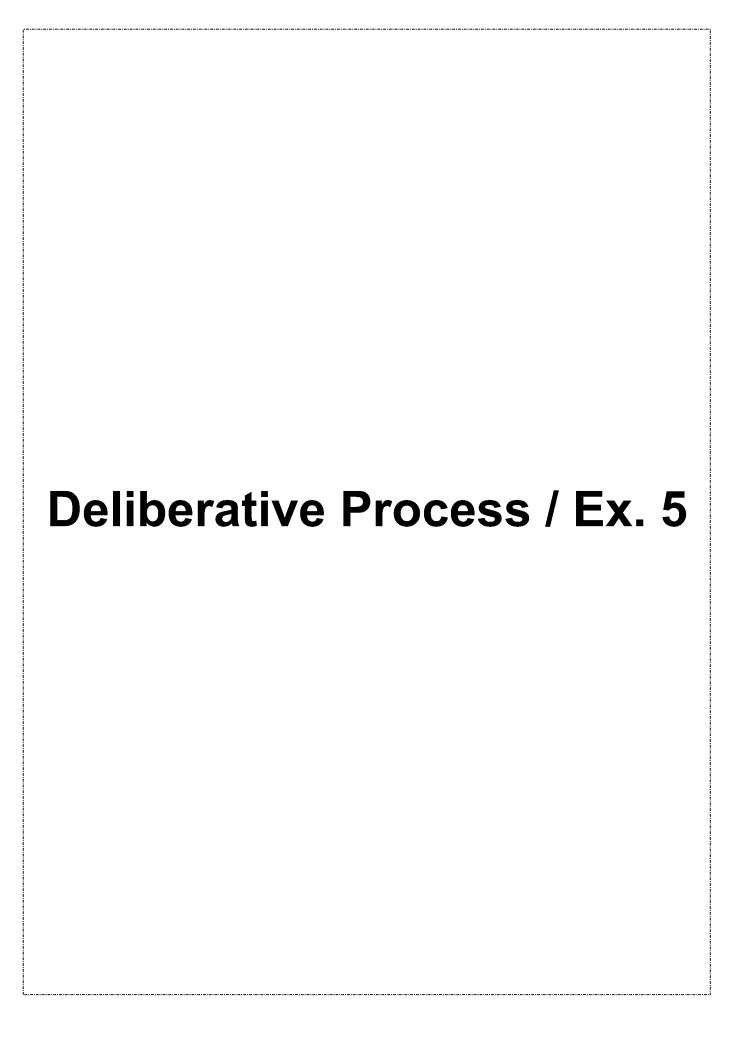


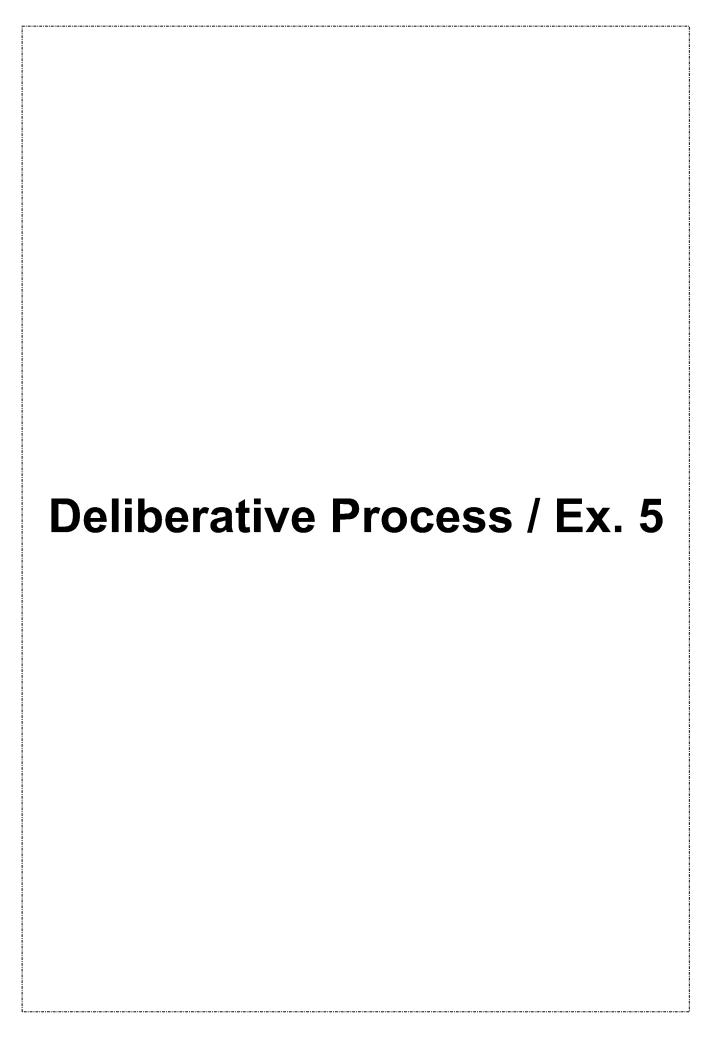


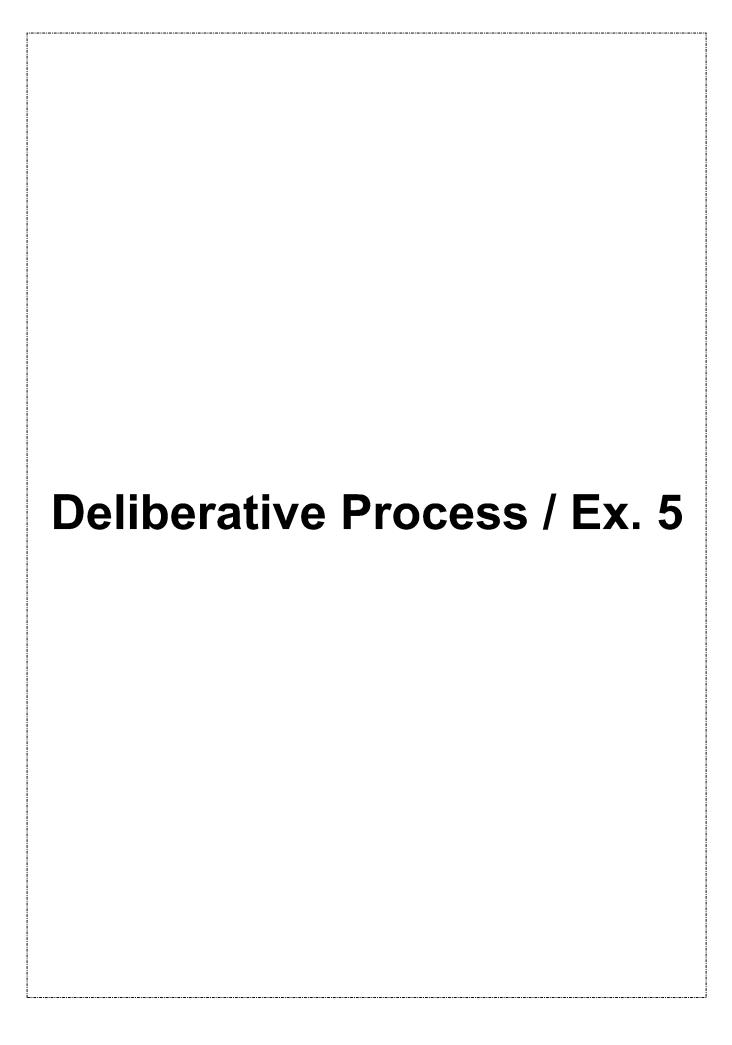


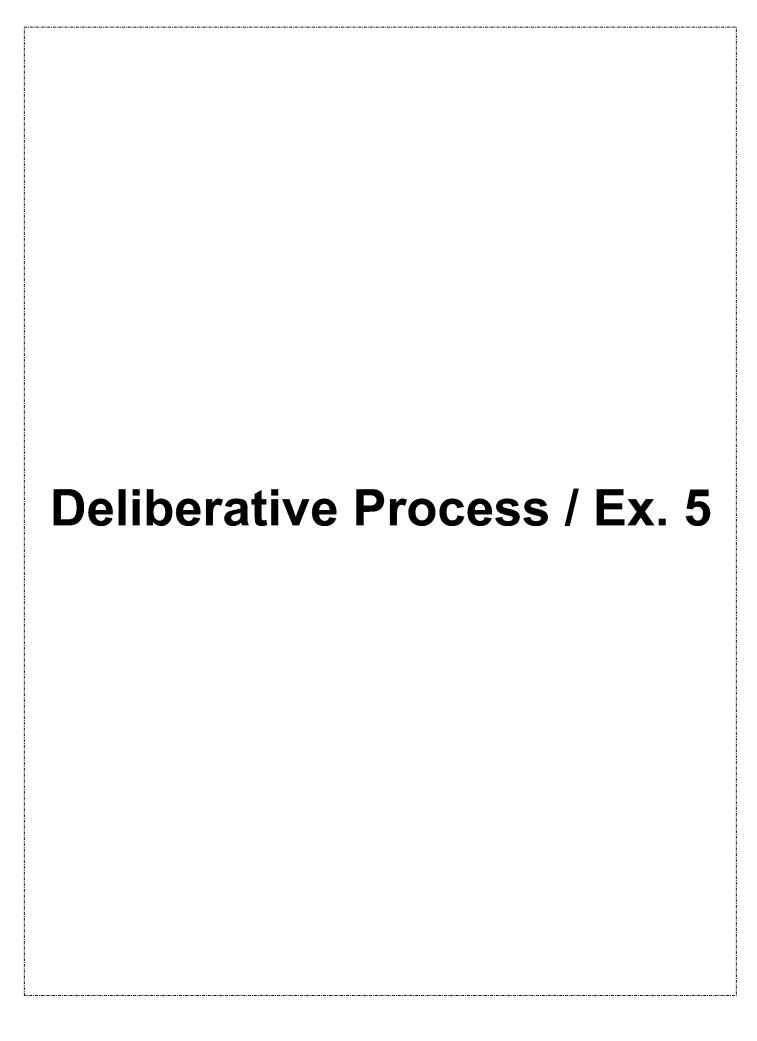


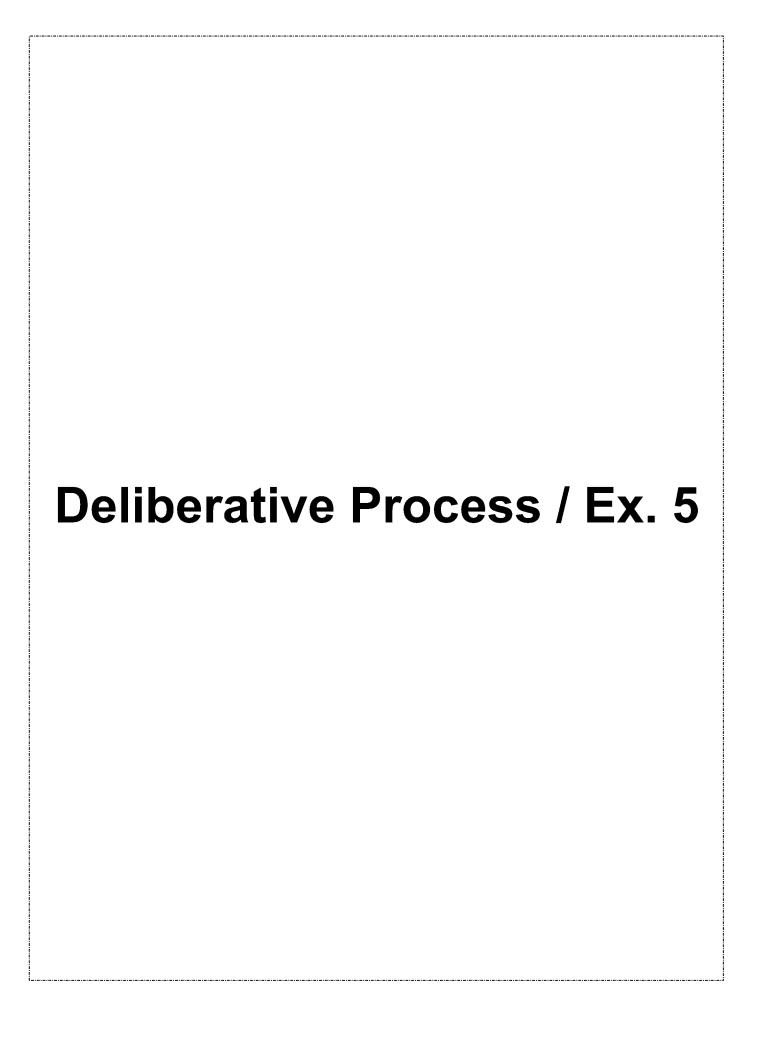


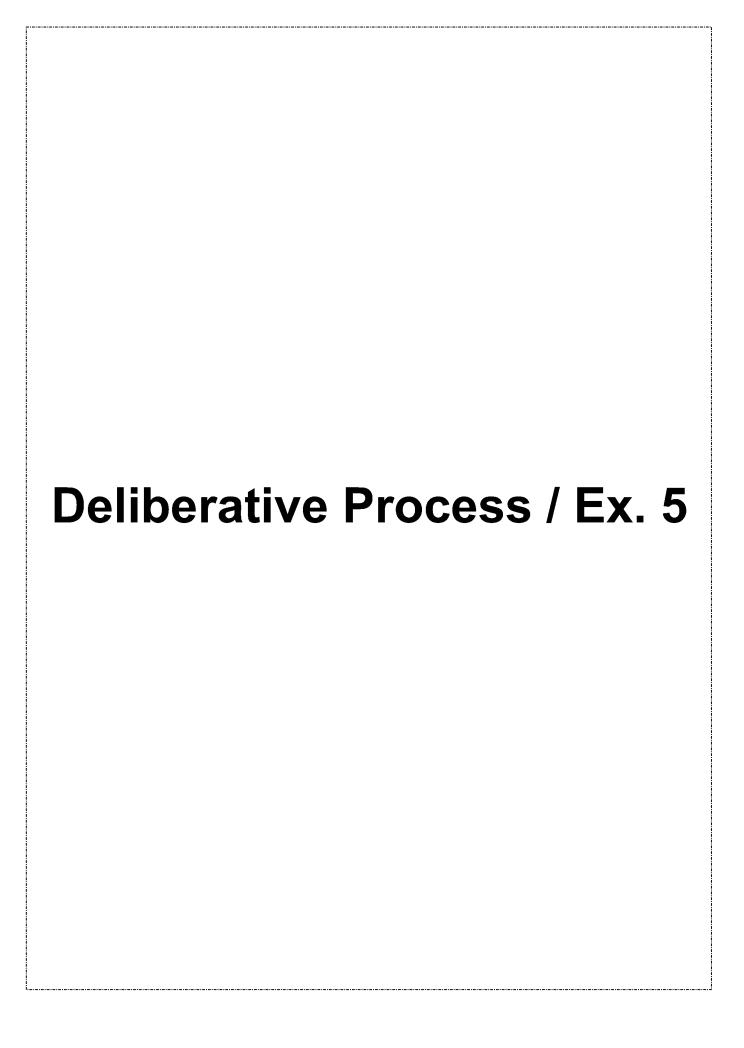


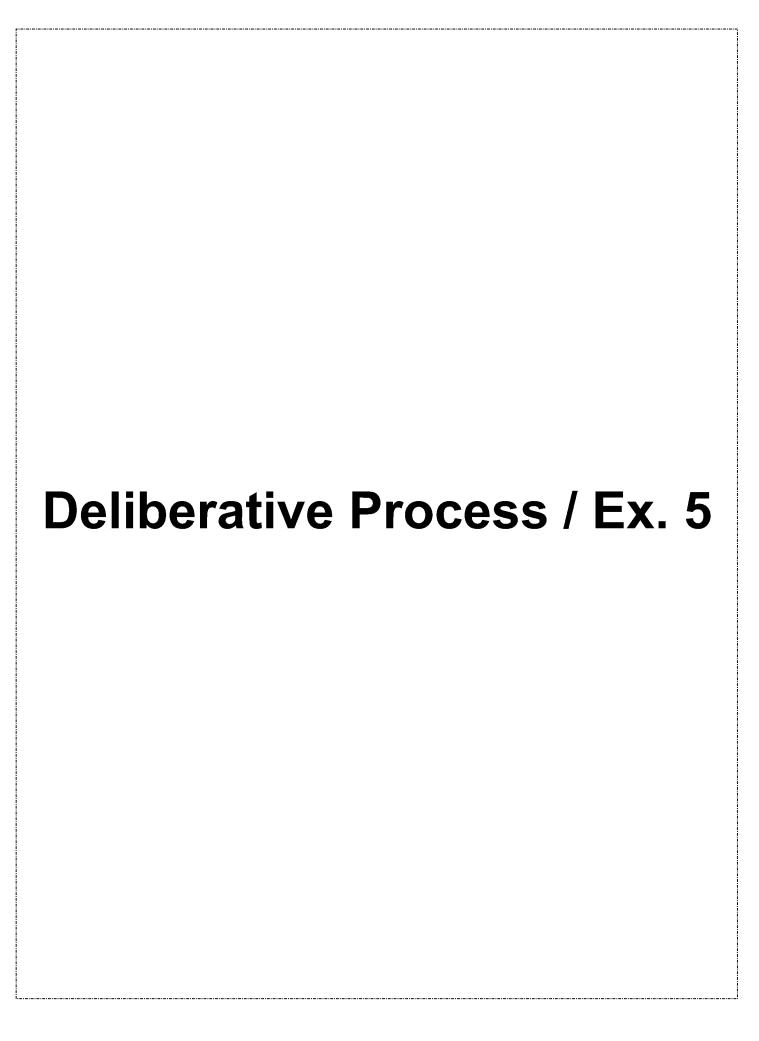


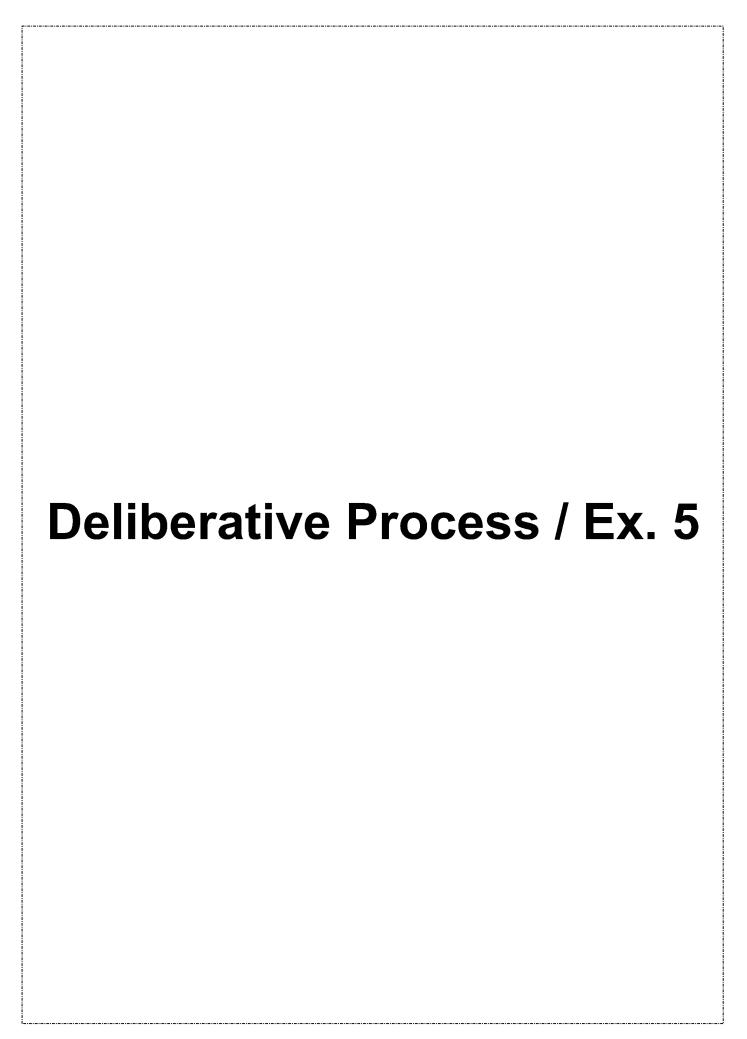


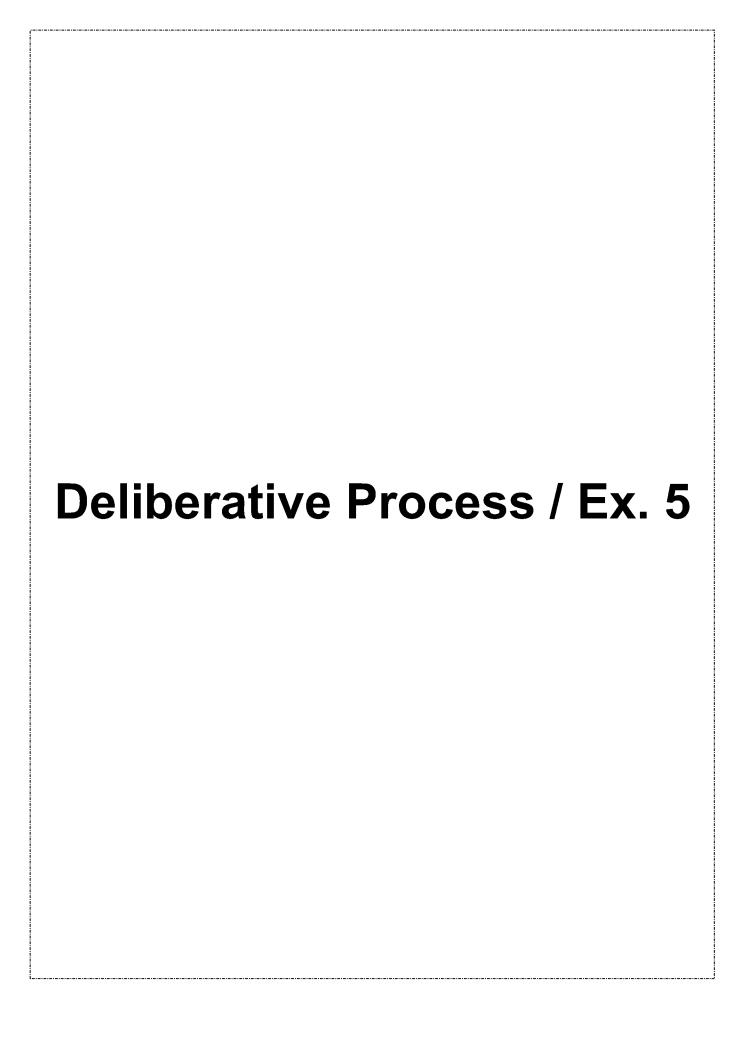














<EPA News Highlights 1.11.18.docx>

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/5/2018 5:39:02 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Falvo, Nicholas

[falvo.nicholas@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: APPROVAL: GAO review of threat to Superfund sites from natural disasters

Deliberative Process / Ex. 5

Sent from my iPhone

On Jan 5, 2018, at 12:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 11:49 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: GAO review of threat to Superfund sites from natural disasters

Liz, Jahan,

Please provide comment on GAO's announcement that they will review the risks to human health posed to Superfund sites by natural disasters.

Thanks,

Michael

AP

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org

Twitter: @mbieseck

<u>Public Key</u>

T 202-641-9445 M Ex. 6

1100 13 St. NW, Suite 700

Washington, D.C. 20005-4076

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/5/2018 5:38:33 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Falvo, Nicholas

[falvo.nicholas@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

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Sent: Friday, January 5, 2018 11:49 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: GAO review of threat to Superfund sites from natural disasters

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Please provide comment on GAO's announcement that they will review the risks to human health posed to Superfund sites by natural disasters.

Thanks,

Michael

AP

<image002.jpg>

Michael Biesecker Reporter mbiesecker@ap.org 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

Twitter: @mbieseck
Public Key

T 202-641-9445 M **Ex. 6**

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From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 1/3/2018 9:12:37 PM

To: Mark Pace [mpace@timesfreepress.com]

Subject: FW: FOR REVIEW: Chattanooga Times Free Press (Mark Pace) RE: Superfund Sites. (1/3)

Hi Mark-

If attributing, please attribute to "an EPA spokesperson:"

The Superfund program is committed to protecting all communities near NPL sites, no matter where they are. Superfund sites are often legacy sites. In many cases, they were there before the current communities were built. EPA is concerned about the potential impacts that these sites have on communities regardless of income level. Superfund has a robust community involvement program that is tasked with providing all communities near Superfund sites with the information they need to be engaged and involved in the process. Administrator Pruitt has made it a priority during his tenure to clean up America's most contaminated sites.

At both the Tennessee Products and Amnicola Dump sites, people are not being exposed to contamination at levels that would cause concern. EPA's work indicates that:

- There are currently no unacceptable human exposure pathways; and
- EPA has determined the site is under control for human exposure.

EPA designates properties as Superfund sites because the former owner/operator improperly disposed of hazardous wastes that have the potential to impact human health and the environment. The Superfund program was established to clean up these legacy wastes. EPA would not typically have information as to why an owner/operator chose to locate their operations in a floodplain.

EPA investigates contamination wherever it occurs. In the case of Chattanooga Creek, coal tar was discharged to a creek from an upland facility (Tennessee Products) and contaminated a 2.5-mile stretch of creek.

Best,		
Tricia		

Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615

From: Mark Pace [mailto:mpace@timesfreepress.com]

Sent: Tuesday, January 02, 2018 10:49 AM To: Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Superfund sites

Hi Tricia,

I hope you enjoyed the holidays. The AP released data about toxic superfund sites in flood zones across the country. It's a followup on some of what they found while covering the flooding in Houston.

Two of the sites listed are in Chattanooga. I'm working on a local story to go alongside the AP coverage.

The two local sites are Tennessee Products/Coke Production site and the former Amnicola Dump. I talked with the regional office already but had a few followup questions for you. I'm not sure if you've released a statement on the findings, but if you have, feel free to pass that along. Thank you!

And here are the questions:

AP found that many superfund sites are in low-income communities, why is this?

Is there any risk in living near these sites?

Why were superfund sites allowed to be built in flood zones?

I'm going to try to finish this up tomorrow, so if I could have a response by then, that'd be much appreciated.

Thanks,

Mark

--

Mark Pace Staff Reporter | Outdoors beat Chattanooga Times Free Press 423-757-6659

mpace@timesfreepress.com

http://www.timesfreepress.com/staff/mark-pace/

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/20/2017 6:47:22 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: APPROVAL: PEER's Superfund task force FOIA

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 20, 2017 12:54 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>;

Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: APPROVAL: PEER's Superfund task force FOIA

Deliberative Process / Ex. 5

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, December 20, 2017 12:05 PM

To: Press < Press@epa.gov >

Subject: PEER's Superfund task force FOIA

Hi folks-

Did you want to comment or otherwise add anything to what PEER put out about its FOIA regarding the Superfund task force? https://www.peer.org/news/news-releases/pruitt-superfund-plans-leave-no-paper-trail.html

Thanks.

--

Timothy Cama, Staff writer The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

From: Konkus, John [konkus.john@epa.gov]

Sent: 12/20/2017 6:03:06 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: Feel free to add anything or remind me of something we're missing. It's already 6 pages.

For comparison purposes, below are 10 AP fluff pieces, um, articles from the first year of the Obama EPA.

Senate gives warm welcome to Obama Cabinet picks MARY CLARE JALONICK, Associated Press 1/14/09

http://www.sandiegouniontribune.com/sdut-obama-confirmations-011409-2009jan14-story.html

Administration addressing ethanol, climate change

H. JOSEF HEBERT, Associated Press

5/05/09

http://journalstar.com/news/state-and-regional/govt-and-politics/administration-addressing-ethanol-climate-change/article_fe0d9581-780e-52d2-b9ed-b18c5d27661d.html

EPA OKs California's plan to cut pollution

6/30/09

H. JOSEF HEBERT, Associated Press

http://www.njherald.com/article/20090630/ARTICLE/306309995#//

U.S. Declares Greenhouse Gases a Health Threat

H. Josef Hebert, Associated Press

7/13/09

https://www.nbcwashington.com/news/archive/NATL-US-to-Declare-Warming-Gases-Are-Health-Threat.html

White House Wants Tougher Rule on Toxic Substances

Dina Cappiello, Associated Press

09/29/09

http://www.washingtonpost.com/wp-dyn/content/article/2009/09/29/AR2009092903696.html?hpid=moreheadlines

Senate hearing begins action on US climate bill

10/27/09

Dina Cappiello and Josef Hebert, Associated Press

http://www.waxahachietx.com/news/nation_ap/senate-hearing-begins-action-on-us-climate-bill/article_95f97f88-1004-5945-b2de-c6d49f3c3212.html?mode=igm

Historic EPA finding: Greenhouse gases harm humans

Josef Hebert and Dina Cappiello, Associated Press

12/07/09

http://www.sandiegouniontribune.com/sdut-historic-epa-finding-greenhouse-gases-harm-humans-2009dec07-story.html

EPA Replacing Bush smog limit

DINA CAPPIELLO, Associated Press

12/07/10

http://www.sandiegouniontribune.com/sdut-epa-replacing-bush-smog-limit-with-stricter-rule-2010jan07-story.html

Q and A About EPA Climate Action Dina Cappiello, Associated Press 12/08/09

http://archive.boston.com/business/articles/2009/12/08/questions and answers about epa action on warming/

Hurricane Katrina propels Lisa Jackson's justice quest at EPA 1/10/10

The Associated Press

http://www.nola.com/politics/index.ssf/2010/01/hurricane_katrina_propels_lisa.html

From: Wilcox, Jahan

Sent: Wednesday, December 20, 2017 11:29 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: Feel free to add anything or remind me of something we're missing. It's already 6 pages.

SENSITIVE COMPARTMENTED INFORMATION FACILITY ...

On December 19, 2017, Michael Biesecker wrote about the Sensitive Compartmented Information Facility. "The EPA's Office of Inspector General is already investigating Pruitt's \$25,000 purchase of a custom-made soundproof privacy booth for his office to deter eavesdropping on his phone calls." (The Associated Press, 12/19/17)

On December 13, 2017, Michael Biesecker wrote about the Sensitive Compartmented Information Facility. "Including the nearly \$25,000 in public funds spent on a custom-made soundproof booth the administrator uses for making private phone calls from his office." (The Associated Press, 12/13/17)

On December 12, 2017, Michael Biesecker wrote about the Sensitive Compartmented Information Facility. "A government watchdog will examine whether the head of the Environmental Protection Agency misused taxpayer money by purchasing a soundproof booth for making private phone calls from his office." (The Associated Press, 12/12/17)

On December 7, 2017, Michael Biesecker wrote about the Sensitive Compartmented Information Facility. "Environmental Protection Agency chief Scott Pruitt on Thursday defended his frequent taxpayer-funded travel and his purchase of a custom soundproof communications booth for his office, saying both were justified." (The Associated Press, 12/07/17)

REFUSING TO INCLUDE EPA STATEMENT & REPORTING FALSE INFORMATION ...

On November 14, 2017, the Associated Press falsely reported that the EPA was involved in a lawsuit regarding pesticides and refused to include our on-the-record statement in his story. "President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species. ... The Environmental Protection Agency, which is also involved in the case," (The Associated Press, 11/14/17)

• **EPA Statement:** "This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected." – EPA spokesman, Jahan Wilcox

STAYING AT A HOTEL THAT IS WITHIN THE GOVERNMENT PER-DIEM ...

On November 3, 2017, Michael Biesecker tried to portray Pruitt staying at lavish resort, when his nightly rate was \$135 a night. "The Trump administration's top environmental regulator is set to speak privately to chemical industry executives next week during a conference at a luxury oceanfront golf resort. Environmental Protection Agency Administrator Scott Pruitt is listed as the featured speaker at a board meeting of the American Chemistry Council, a group that has lobbied against stricter regulations for chemical manufacturers. The three-day conference is being held at The Sanctuary resort on Kiawah Island, South Carolina. Council spokeswoman Anne Kolton said Pruitt's speech will not be open to the public or the news media. Admission to the members-only event where Pruitt is speaking ranges between \$7,500 and \$2,500, depending on sponsorship level. Rooms at the resort are being offered to conference attendees at a discounted rate of \$389 a night, not including taxes and fees. ... EPA spokesman Jahan Wilcox declined to provide an estimate of the total cost for the trip, but said the government employees would be staying for \$135 a night, within the limit allowed under federal travel reimbursement rules." (The Associated Press, 11/05/17)

Additionally, it took 3 attempts for Michael Biesecker to include our on-the-record statement in his story. "EPA spokesman Jahan Wilcox declined to provide the AP with an estimate of the total cost of the trip. But, he said, 'We are staying within the government per diem and, in this instance, that is \$135 for lodging.'" (The Associated Press, 11/03/17)

Falsely Reporting About Chlorpyrifos ...

On April 20, 2017, the Associated Press falsely reported that Pruitt reversed an Obama-era effort to bar chlorpyrifos. "The industry's request comes after EPA Administrator Scott Pruitt announced last month he was reversing an Obama-era effort to bar the use of Dow's chlorpyrifos pesticide on food after recent peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains." (The Associated Press, 04/20/17)

- Obama's U.S. Department of Agriculture supported Pruitt's action. "This is a welcome decision grounded in evidence and science,' said Sheryl Kunickis, director of the Office of Pest Management Policy at USDA. 'It means that this important pest management tool will remain available to growers, helping to ensure an abundant and affordable food supply for this nation and the world. This frees American farmers from significant trade disruptions that could have been caused by an unnecessary, unilateral revocation of chlorpyrifos tolerances in the United States. It is also great news for consumers, who will continue to have access to a full range of both domestic and imported fruits and vegetables. We thank our colleagues at EPA for their hard work." (Food Safety News, 03/31/17)
- EPA's On-The-Record Statement That No Meeting Occurred." "We have had no meetings with Dow on this topic and we are reviewing petitions as they come in, giving careful consideration to sound science and good policymaking,' said J.P. Freire, EPA's associate administrator for public affairs." (The Associated Press, 04/20/17)

On June 27, 2017, the Associated Press falsely reported that EPA chief met with Dow CEO before deciding on pesticide ban. "The Trump administration's top environmental official met privately with the chief executive of Dow Chemical shortly before reversing his agency's push to ban a widely used pesticide after health studies showed it can harm children's brains, according to records obtained by The Associated Press. Environmental Protection Agency Administrator Scott Pruitt's schedule shows he met with Dow CEO Andrew Liveris for about a half hour on March 9 during a conference held a Houston hotel." (The Associated Press, 06/27/17)

- EPA's On-The-Record Statement That No Meeting Occurred." "We have had no meetings with Dow on this topic and we are reviewing petitions as they come in, giving careful consideration to sound science and good policymaking,' said J.P. Freire, EPA's associate administrator for public affairs." (The Associated Press, 04/20/17)
- Dow Chemical's On-The-Record Statement That No Meeting Occurred: "Rachelle Schikorra, a spokeswoman for Dow, said the formal meeting 'never happened due to schedule conflicts.' The meeting still appeared on Pruitt's schedule, which was obtained by The Associated Press." (The Associated Press, 06/30/17)

BIESECKER'S HISTORY OF DIRTY REPORTING IN NORTH CAROLINA ...

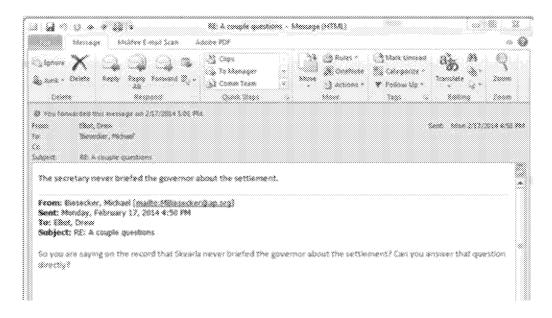
Despite taking questions for nearly 10 minutes, the Associated Press' Michael Biesecker reported that Governor Pat McCrory did not take questions regarding the spill of coal ash. "[Original] North Carolina Governor Pat McCrory traveled to the plant Thursday and made his first public statements on the disaster. The trip was not listed on McCrory's public schedule and the media were not given an opportunity to ask him questions." (The Associated Press, 02/07/14)

North Carolina's FOX 8 reported and showed that Governor McCrory held a press conference regarding the coal ash spill. "North Carolina Gov. Pat McCrory visited the Dan River near the site of the spill on Thursday, calling the incident a 'serious accident,' but saying that based on Duke water standards and side sampling, the drinking water in the area appears to be safe." (F imes 8, 02/06/14)



The Associated Press issues a correction stating that McCrory did talk to the press. "[Corrected] North Carolina Governor Pat McCrory traveled to the plant Thursday and made his first public statements on the disaster. The trip was not listed on McCrory's public schedule." (The Associated Press, 02/07/14)

On February 17, 2014 the Associated Press' Michael Biesecker invented facts to fit his narrative, by falsely claiming that North Carolina's top environmental official briefed Governor McCrory about a settlement with Duke Energy. "North Carolina's top environmental official says he briefed Gov. Pat McCrory about a negotiated settlement with Duke Energy that would have fined the \$50 billion corporation \$99,000 to resolve violations for groundwater contamination leaching from two huge coal ash dumps." (The Associated Press, 02/17/14)



In March 2014, the N.C. Department of Environment and Natural Resources asked if the state's lawsuit should be against Duke Energy or Carolina Power and Light Company (their old name) and the Associated Press' Biesecker deliberately mislead the public by falsely reporting that the state was discussing "how to Duke wants to be sued." "[Original Associated Press story] Within days, the emails show a Duke lobbyist contacted the N.C. Department of Environment and Natural Resources, where staff exchanged messages discussing "how Duke wants to be sued." (The Associated Press, 03/13/14)

From: Cooper, Kathy [kcooper@ncdoj.gov] Sent: Monday, March 18, 2013-6:33 AM

To: Watts, Debra

Subject: Draft Complaint Attorney Client Privileged and Attorney Work-Product

Debra,

I meant to send my e-mail Attorney Client Privileged.

Please discard the previous e-mail and send this one instead.

Attached is the draft of the Complaint. Please send it to everyone who needs to see it before our conference call today at 11.

I haven't decided on the Exhibits but I can let you know later tomorrow morning.

I need to check with Lacy about how Duke wants to be sued. Right now this complaint names Carolina Power and Light Company d/b/a Progress Energy Carolinas, Inc. as the defendant. I noticed on the Secretary of State's website that Duke is changing the name, of Progress Energy as well to Duke Energy Progress. CP&L's shareholders voted for the name change on 3/8/13 but it is not effective until April 29, 2013.

(fliget that part straight, Just wanted you to know,

Please just add me to the conference call. I have to contact someone this morning and need to be in my office.

Thanks,

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell:

Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Morgan, Ashley [morgan.ashley@epa.gov]

Sent: 9/28/2018 6:47:09 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]

CC: Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: RE: Wheeler Regional Media Clips

Looks good – thanks for putting this together!

From: Abboud, Michael

Sent: Friday, September 28, 2018 2:37 PM

To: Lyons, Troy <lyons.troy@epa.gov>; Morgan, Ashley <morgan.ashley@epa.gov>

Cc: Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>

Subject: Wheeler Regional Media Clips

Troy and Ashley-

Below we have compiled media clips from Wheeler's travels since becoming Acting Administrator, as well as regional media clips from events that occurred in DC.

TRAVEL CLIPS

Pennsylvania Clips (July 16th)

PRINT:

Pittsburgh Post-Gazette: Acting U.S. EPA administrator wants to 'depoliticize' environmental issues

Andrew Wheeler, the acting U.S. Environmental Protection Agency administrator, seems intent on setting a new tone for the embattled agency, but not a new direction for the industry-friendly Trump administration. "I would love to depoliticize environmental issues. I think we can find common ground with Democrats," he said, citing past bipartisan support for a diesel engine emission regulation, industrial site reclamation and the cleanup of abandoned mine sites. "There are definitely things we can do to clean up the environment in a bipartisan fashion and I want to reach out and work with those people who want to work with us." "When [the president] called me to be the acting administrator, he said keep cleaning up the air and cleaning up the water and keep deregulating. He said we can do all three, and I agree with him," said the low-key Mr. Wheeler, who spoke with members of the Post-Gazette editorial board Monday after touring a shale gas well site in Washington County and meeting with the Chamber of Commerce there.

Pittsburgh Post-Gazette Editorial Board: Eyes on the EPA: A Washington insider takes over, prescribing basics

The Environmental Protection Agency has three goals: to keep the air clean, to maintain our waterways, and to regulate these things in a way that creates jobs. This is according to Andrew Wheeler, the Environmental Protection Agency's new acting administrator who many expect will be appointed to the job permanently. He knows Washington well, having started his career at the EPA before working as a Senate staffer. More recently, he was a lobbyist for the coal industry, which tarnishes him in the minds of many. In a meeting with the Post-Gazette's editorial board, Mr. Wheeler described his vision of an EPA that goes back to basics. This includes tackling the agency's long list of "Superfund sites," polluted areas that require significant cleanup efforts. He said he believes in climate change and that human activity has contributed to it.

RADIO:

KDKA Radio Afternoon Show EPA Acting Administrator Andrew Wheeler visits PA

U.S. Environmental Protection Agency Acting Administrator joined Robert Mangino for his first broadcast interview since taking office to discuss his plans for the department in the future following former Adminstrator Scott Pruitt's resignation earlier this month. Wheeler says he chose to celebrate the 2018 update in New Bedford as a way to also recognize the city as a "Superfund success story." "With over 1,300 Superfund sites across the country, some of those sites have been languishing for decades and contamination is seeping into the land and water. We owe it to the American public to get these sites cleaned up and back to use," said Wheeler. "Today, we are proud to present the 2018 update to the Superfund Task Force Report, which highlights the numerous accomplishments achieved by EPA's hardworking employees. That work is of course in conjunction with the hardworking employees of the states and the local communities, and there's not a better Superfund example than New Bedford here today."

Massachusetts Clips (July 25th)

PRINT:

New Bedford Times: In New Bedford visit, acting EPA chief says he buys climate change but seeks to deregulate
Scott Pruitt's temporary replacement as head of the U.S. Environmental Protection Agency, Andrew Wheeler, believes humans contribute to climate change but considers environmental deregulation one of his top priorities, he said Wednesday. He spoke on the New Bedford waterfront, outside an EPA plant that removes water from contaminated sediment as part of the New Bedford Harbor Superfund cleanup. Wheeler said he will continue to implement Pruitt's policies, which are the policies of President Donald Trump. Asked about his top priorities for the EPA nationally, Wheeler said that when Trump asked him earlier this month to assume the role of acting administrator, the president told him, "Keep cleaning up the air, keep cleaning up the water and continue to deregulate in order to create jobs." "I think we can do all three," he said.

RADIO:

WBSM: Top EPA Administrators Recognize New Bedford as 'Success Story'

Top brass from the U.S. Environmental Protection Agency (EPA) paid a visit to the Whaling City on Wednesday to recognize accomplishments made by the agency in the reduction of risks to human and environmental health in areas across the country contaminated by hazardous materials. Acting Administrator of the EPA Andrew Wheeler and Regional Administrator Alexandra Dunn joined Mayor Jon Mitchell at the dewatering facility to celebrate the one year anniversary of the agency's Superfund Task Force Report, and to also present the 2018 update to the report.

Rhode Island NPR: New EPA Acting Administrator Says Humans Contribute To Climate Change

The Environmental Protection Agency's acting administrator, Andrew Wheeler, says humans are contributing to climate change, contrary to what his predecessor said. Former Administrator Scott Pruitt, who resigned earlier this month after a number of ethical controversies, said humans are not the primary cause of climate change, despite what scientists say. However, during an EPA event in New Bedford Wednesday, Wheeler responded to a reporter's question about whether he thinks humans are responsible for climate change. "I believe that climate change is real and that people contribute to climate change, yes," Wheeler said. Even so, Wheeler said he plans to continue easing environmental regulations to create jobs.

Iowa Clips (August 13th)

PRINT:

Des Moines Register: Acting EPA Chief Andrew Wheeler vows to offer regulatory 'certainty' to Iowans

The acting head of the U.S. Environmental Protection Agency met Monday at the Iowa State Fair with political leaders and agribusiness groups, promising to carefully consider their concerns about federal regulatory matters. Andrew

Wheeler, the agency's interim administrator, said after the closed-door discussion that he wants to ensure more certainty in EPA's dealings with the public. One example, he said, is proposed changes to the definition of "Waters of the U.S." which will determine for farmers and other landowners what is and what is not a wetland. He said a proposal should be coming within the next 60 days "so you don't have to hire attorneys and consultants" to implement the environmental regulation.

Quad City Times: Reassurances but no promises on RFS from new EPA chief (Lee Newspapers)

A visit from the federal government's top environmental protection chief Monday did not ease the concerns of lowa agricultural leaders. Andrew Wheeler, who last month took over as administrator of the U.S. Environmental Protection Agency, discussed myriad issues Monday in a meeting with top lowa government and industry leaders at the State Fair. The chief topic was the Renewable Fuel Standard, the federal requirement that a certain amount of corn-based ethanol be blended into the nation's fuel supply. Iowa leaders have expressed concern that various moves by President Donald Trump's administration has weakened the mandate, thus dampening the demand for ethanol and other biofuels.

Agri-Pulse: Wheeler talks RFS, WOTUS at Iowa State Fair

Acting EPA Administrator Andrew Wheeler visited with government officials and agribusiness leaders during a closed-door session at the lowa State Fair in Des Moines on Monday, pledging to listen to their concerns about a wide variety of issues. In a press briefing after the session, he pledged to provide more transparency in decision making and more regulatory certainty from the federal agency he has been charged with leading after former administrator Scott Pruitt's resignation. Wheeler said he recognizes the importance of the Renewable Fuels Standard (RFS) to the entire country, as well as the lowans who asked him to provide year-round access to E15. The agency would need to issue a Reid Vapor Pressure (RVP) waiver to allow for E15 sales during the summer months, something Wheeler says the agency is examining.

TELEVISION:

We Are Iowa: New EPA Administrator stops by Iowa State Fair (Local ABC)

Andrew Wheeler, the new Environmental Protection Agency Administrator, stopped by the lowa State Fair on Monday. His predecessor, Scott Pruitt, never made the journey to lowa. Today, he did his best to ease some ongoing concerns. "You have been someone who's been very accessible, very transparent in your thinking on all of these important issues," Rep. David Young (R) said. High praise for the new leader of the EPA. "We need to see higher blends of ethanol, with E-15 year round, we need these smaller refinery exemptions taken care, but we got the chance to take about that today," President of lowa Corn Growers Association Mark Recker said. As Wheeler stood beside lowa leaders, he says the President is very much in their corner.

WHO-TV: Acting EPA Administrator Says Trump is on Board for Renewable Fuel Standard Expansion

The lowa State Fair is a premiere spot for politics. Monday, the acting head of the Environmental Protection Agency Andrew Wheeler said President Trump is on board with expanding the renewable fuel standard. "We're meeting with different groups around the country and different associations that represent the ethanol people...the refiners. trying to figure out what we can do to provide more certainty in the RFS program. But the important thing is the Trump Administration wants to move forward within the spirit and letter of the law," said Wheeler. lowa corn and ethanol producers want the EPA to allow the use of e-15 fuel year-round. They claim an expansion would be a big help to them.

RADIO:

Iowa Radio: Iowans tell EPA chief president made E15 promise, it's time to deliver

The U.S. Environmental Protection Agency's acting administrator met privately with lowa commodity group leaders at the lowa State Fair today — but Andrew Wheeler told reporters afterwards there is no decision yet on regulations that would allow a higher blend of ethanol to be sold year-round. "I can't tell you the timeline," Wheeler said late this afternoon. "We are mindful of needing to have a decision on that before the growing season next year." Wheeler seemed to indicate EPA guidelines that would approve the sale of E15 year-round would be coupled with some sort of accommodation for the oil industry. "We're certainly looking to see what we can do overall as a part of a larger effort to bring more certainty around the RFS and we're open to that and I've been meeting with different groups around the

country — different associations that represent the ethanol people, the refiners — trying to figure out what we can do ," Wheeler said.

Michigan Clips (August 17th)

PRINT:

The Monroe News: Acting EPA chief encouraged by Great Lakes cleanup

Andrew Wheeler toured Pointe Mouillee and other sites last week to see the work that's been done with the Great Lakes Restoration Initiative. The clean-up of the Great Lakes is important to Andrew Wheeler. The acting administrator of the Environmental Protection Agency visited Monroe County last week with U.S. Rep. Tim Walberg, R-Tipton, to see the effects of the Great Lake Restoration Initiative. "(The visit) was to see how the Great Lakes have cleaned up and it is really encouraging to see the work that has been done," Wheeler told The Monroe News Wednesday. "There have been a lot of lessons learned and what is being done in the Great Lakes could be used to deal with other issues including those in Ohio with the Maumee River. It was a very encouraging visit." In March, President Donald Trump's \$1.3 trillion spending measure included an increase in funds to protect the Great Lakes. The budget included nearly \$448 million for the EPA's programs benefiting regional waters degraded by pollution, overdevelopment and exotic species.



Toledo Blade: Acting U.S. EPA administrator wants to keep Great Lakes restoration program

The \$300 million-a-year Great Lakes Restoration Initiative is one Obama-era program that will survive the Trump Administration if the U.S. Environmental Protection Agency's new acting administrator, Andrew Wheeler, gets his way. And, from Mr. Wheeler's perspective, Chesapeake Bay's highly aggressive cleanup strategy — a strategy that mirrors the sort of regulations some U.S. EPA critics and others want to see implemented for western Lake Erie — has been a success. But while Mr. Wheeler agreed the Chesapeake Bay offers solid lessons for western Lake Erie, he would not comment on a pending lawsuit seeking similar environmental protections here, one which seeks to have this area ultimately placed under what's known as a total maximum daily load program, or TMDL.

Kentucky Clips (August 24th)

PRINT:

Lexington Herlald-Leader: EPA Chief Appears in Kentucky, Says Trump's Coal Plan Will Benefit State

The coal industry should benefit from President Donald Trump's proposal to replace an emissions rule that put coal-fired power plants at a disadvantage, the head of the U.S. Environmental Protection Agency said Friday during a visit to Kentucky. The earlier Obama-era plan would have forced many coal-fired power plants out of business, said acting EPA Administrator Andrew Wheeler. Coal plants have long been key customers for coal mined in Kentucky. "This was a rule that really hurt the state of Kentucky," Wheeler said of the Obama plan.



The Associated Press: Trump's environmental chief touts coal plan in Kentucky

President Donald Trump's top environmental official has headed to Kentucky to tout a new plan aimed at aiding the coal industry. According to the Lexington Herald-Leader, acting Environmental Protection Agency Administrator Andrew Wheeler visited the Clark Energy Cooperative headquarters Friday in Winchester. The proposal aims to replace ex-President Barack Obama's signature effort to slow global warming by limiting emissions from coal-fired power plants. Trump's plan broadly increases authority for states to decide how to regulate coal plants.

RADIO:

WEKU (Public Radio): EPA Acting Administrator Talks About Energy Rule During Central Kentucky Visit

The acting Environmental Protection Agency Administrator says the Trump administration's proposed clean energy rule won't adversely affect air quality. Andrew Wheeler made his remarks during a stop in Winchester this afternoon with Congressman Andy Barr. Wheeler says the new plan doesn't pick energy provider winners and losers, something he contends the Obama administration's clean power plan did. "President Trump asked us last year to take a look at the clean power plan, to revise it, repeal it, replace it. And that's what we did this week with a plan that defers more to the states and works more cooperatively with the states," said Wheeler.

WUKY (Public Radio): Acting EPA Head Defends Trump Energy Rule During Kentucky Visit

Acting Environmental Protection Agency head Andrew Wheeler made a swing through Kentucky Friday to promote the Trump administration's newly-unveiled energy policy overhaul, which grants states more leeway in setting emissions standards for coal-fired power plants. Fresh off the signing of the administration's Affordable Clean Energy Rule on Monday, acting EPA Administrator Wheeler appeared alongside 6th District Congressman Andy Barr at Clark Energy in Winchester on Friday. In opening remarks, Barr echoed colleagues, like Senator Mitch McConnell, who sounded dire warnings about skyrocketing utility costs under the Obama-backed plan.

WHAS (Radio): A conversation with acting EPA Administrator Andrew Wheeler (Audio Included)

Acting EPA Administrator Andrew Wheeler talked about touring Kentucky with Andy Barr, the Affordable Clean Energy (ACE) rule and possible resistance to it, coal and its future in the Commonwealth and beyond, single-use straws, and more.

WKDZ (Radio): Acting EPA Administrator Talks With Kentucky Farmers (Audio Included)

The Environmental Protection Agency is listening to concerns of Kentucky Farmers and will to work with them. That was the message from Acting EPA Administrator Andrew Wheeler who met with farmers during a Kentucky Farm Bureau roundtable discussion Friday at the Kentucky State Fair. Administrator Wheeler says there is a willingness in the EPA to work with farmers concerning the Waters of the US Rule.

TELEVISION:

WDRB (TV): Head of EPA Visits Kentucky State Fair (Video Only)

WKYT (TV): Acting EPA administrator pushes for state-controlled emissions standards

Friday, the Environmental Protection Agency made a stop in Kentucky. Just three days prior, it made an announcement that would directly impact Kentuckians. The Environmental Protection Agency is pushing to allow states to set their own emissions standards for coal-powered plants. "It's not something the EPA had ever been in the business of before and quite frankly I don't think the EPA should be in that business," Andrew Wheeler, the EPA's acting administrator, said. "I don't consider this a rollback because the Clean Power Plan never actually went into effect."

Spectrum News (TV): EPA rolls out new plan for energy regulations, but some have concerns

Tuesday, the EPA revealed its new plan called the Affordable Clean Energy Rule . It gives states emission guidelines to use when they are making plans for how to limit greenhouse gases at coal fired utility plants, however it allows each state to make its own plan for pollution regulation. The United States Energy Information Administration calculated that last year 79 percent of Kentucky's energy generation was coal fired. That's why Congressman Andy Barr says this is a good plan for Kentucky. The 6th District Congressman remarked, "I appreciate the Administration and this EPA issuing a new more workable that will ensure electric grid reliability, that will ensure affordable energy and that will allow the United States to continue to make advancements to our environment but do so in a way that makes sense for consumers of electricity."

Ohio Clips (August 28th)

PRINT:

Zanesville Times Recorder: New EPA rule benefit unclear for Conesville

A week after announcing the new Affordable Clean Energy rule, Environmental Protection Agency Acting Administrator Andrew Wheeler stopped in Zanesville to meet with local officials regarding the new rule. The nicknamed ACE rule replaces the Obama administration's Clean Power Plan, which seeked to set requirements on carbon dioxide reduction. The plan never went into effect, after 27 Republican-led opposed to the limits challenged the standards, halting the plan with a U.S. Supreme Court stay.

The Daily Caller: Trump's Clean Power Plan Replacement is A 'Level Playing Field' For Coal

The Trump administration's proposed replacement for the Obama-era Clean Power Plan (CPP) will "level the playing field" for struggling coal plants, according to Environmental Protection Agency (EPA) Administrator Andrew Wheeler. "This will provide more flexibility to states — Obama's plan was more social engineering. We're returning to the core basics of the Clean Air Act by working more cooperatively with states," Wheeler told an audience at an event by the Ohio Chamber of Commerce, according to The Hill.

The Columbus Dispatch: Acting EPA head Andrew Wheeler says proposed clean-air changes allow states more leeway

The EPA's proposed plan, known as the Affordable Clean Energy rule, is meant to take the place of the Obama Administration's Clean Power Plan. Acting EPA Administrator Andrew Wheeler offered additional insight Tuesday into the federal agency's recently proposed energy rules, emphasizing the importance of allowing states to set their own efficiency plans. Speaking in Columbus alongside newly elected U.S. Rep. Troy Balderson, a Zanesville Republican representing Ohio's 12th Congressional District, Wheeler said the U.S. Environmental Protection Agency will issue efficiency guidelines to states for each type of power plant, which the states will use to "set the specific efficiency requirements on a plant-to-plant basis."

Bloomberg BNA: Aging Power Plants Get Lifeline in Clean Energy Rule, EPA Head Says

States could prolong the life of aging and less efficient power plants if they so choose under the EPA's new proposed carbon emissions rule, Acting Administrator Andrew Wheeler said. Wheeler touted the agency's Affordable Clean Energy proposal, which would replace the Obama-era Clean Power Plan, during a visit to Columbus, Ohio, Aug. 28. While the Clean Power Plan set statewide carbon dioxide reduction requirements, the latest proposal would set federal guidelines for reductions and then give states three years to design their own requirements for each power plant. That will help aging power plants, Wheeler said, because states can regulate each plant individually, and not based on the Obama administration's more stringent standards.

The Hill: EPA head: New coal plant plan will 'level the playing field'

Environmental Protection Agency Administrator Andrew Wheeler on Tuesday said that the administration's newly proposed alternative to the Obama-era Clean Power Plan (CPP) will "level the playing field" for coal plants in an era where renewable fuels and liquid natural gas are growing in prominence. Speaking at an Ohio Chamber of Commerce event, Wheeler praised Trump's new plan, called the Affordable Clean Energy rule, for the flexibility it gives to states to regulate their own coal-fired power plants. "This will provide more flexibility to states — Obama's plan was more social engineering. We're returning to the core basics of the Clean Air Act by working more cooperatively with states," Wheeler said at the event.

TELEVISION:

NBC-4 Columbus: President Trump's Affordable Clean Energy rule touted and attacked in Columbus (Video included)

Visiting Columbus Tuesday, acting administrator for the U.S. Environmental Protection Agency Andrew Wheeler promoted President Trumps new Affordable Clean Energy (ACE) rule. The plan replaces the Obama-era Clean Power Plan (CPP) that failed to get off the ground due to litigation. Back in 2014, the Obama administration proposed the CPP which would have forced high emission coal-fired power plants to upgrade their power generators to use low-emission or zero-emission generators instead. It effectively sought to end the use of coal as an energy source, but opponents to that filed lawsuits against the measure. More than two dozen states and other interested parties banded together to oppose the plan. The CPP would have reduced greenhouse gasses at the cost of expensive upgrades that threatened to close coal fire power plants but the plan was ultimately put on hold by the U.S. Supreme Court.

WHIZ News Zanesville: EPA administrator visits Zanesville-Muskingum Chamber of Commerce (Video included)

Environmental Protection Agency acting administrator Andrew Wheeler visited Ohio on Tuesday to promote the Trump administration's proposed affordable clean energy rule. The new rule would replace the clean power plan and establish emission guidelines for states to develop plans to reduce greenhouse gas emissions. Wheeler met with the Columbus Chamber of Commerce's Energy and Environment Committee and the Zanesville-Muskingum Chamber of Commerce to discuss this and other agency-related issues. He also visited with Zane State College environmental studies students to discuss environmental issues.

Montana Clips (September 6-7th)

RADIO:

Montana Public Radio: In Butte, Acting EPA Chief Says Superfund Remains A Priority (Audio Included)

The head of the U.S. Environmental Protection Agency visited the Superfund sites in Butte and Anaconda Friday. The last time the head of the agency did so was 28 years ago. Andrew Wheeler was named acting administrator of the EPA in July, following the departure of Scott Pruitt amid ethics scandals. People in Butte and Anaconda were happy when Pruitt announced that the Trump administration was prioritizing Superfund cleanups, and that their communities were at the top of the priority list. Today, Acting Administrator Wheeler said that hasn't changed. "Superfund is a priority for the administration, for President Trump, and it's a priority for myself as well."

Montana Public Radio: EPA Chief Visits Butte, Anaconda, Promises Cleanups Complete 2024-25 (Audio Included)

"I'm very happy to be here. This is a historic occasion," U.S. Senator Steve Daines said at a press conference in Butte Friday morning. He was introducing the head of the U.S. Environmental Protection Agency, who, at his invitation, was visiting Superfund sites in Butte and Anaconda. The last time the top boss of the EPA did that was 28 years earlier. "I'm sorry I didn't get here sooner, but I got here within the first two months of being on board as the acting administrator, and I'm very happy to be here," said Andrew Wheeler. Wheeler's all-day visit included tours of Superfund sites in Butte and Anaconda, and a couple of meetings with state and local officials and some community activists. He heard more than once that they've felt neglected or forgotten by the EPA since the sites were added to the Superfund cleanup list in 1983.

PRINT:

The Associated Press: EPA Boss Visits Polluted Mining Sites In Montana

The head of the U.S. Environmental Protection Agency visited two contaminated mining sites in Montana on Friday as the agency faces pressure to speed cleanup work that's dragged on for more than three decades. Acting EPA Administrator Andrew Wheeler visited Butte and Anaconda with Republican U.S. Sen. Steve Daines. "Superfund is a priority for the administration, for President Trump, and it's a priority for myself as well," Wheeler said during his visit, Montana Public Radio reported. Wheeler also said the cleanup plans for both sites are works in progress and community input could still shape the final agreement.

Montana Standard: Acting EPA Administrator Andrew Wheeler Makes Historic Visit To Butte, Anaconda Friday Andrew Wheeler, acting administrator for the Environmental Protection Agency, made a historic visit to the Mining City and the Smelter City Friday. Wheeler broke a 28-year streak Friday when he, in the top position at EPA, visited both Butte and Anaconda. Before Friday, William Reilly was the last EPA administrator to visit both the Mining City and the Smelter City. Reilly came in 1990 at the behest of then-Sen. Max Baucus. Butte and Anaconda and the Clark Fork River Superfund cleanup make up the largest Superfund complex in the nation. Many in Butte and Anaconda said Friday during Wheeler's visit that it was about time the towns got this level of attention and it's time to "get 'er done" and get Butte and Anaconda cleaned up and delisted.



<u>Montana Standard: Standard View: Administrator Visit Was A Big Plus — Now Let's Get The Work Done</u> (Editorial)

Butte and Anaconda were the center of the EPA's focus Friday. With Andrew Wheeler, the agency's acting administrator, visiting both towns, it was heartening to listen to people in the communities who have cared about the cleanup speak so forcefully and eloquently to Wheeler. In Butte, that meant passionate, intelligent people making the case for why the agency, Atlantic Richfield, the state of Montana and Butte-Silver Bow all must redouble their efforts to make sure the cleanup we get is the cleanup we need and deserve. First, thanks are in order. We are grateful to: Wheeler, Regional Administrator Doug Benevento and their staffs, along with Sen. Steve Daines and his, for making this meeting happen.

TELEVISION:

KBZK-CBS: Acting EPA Chief Tours Butte, Anaconda Superfund Sites (Video Included)

Acting EPA Administrator Andrew Wheeler visited the Butte-Anaconda Superfund on Friday after being invited by Senator Steve Daines. Daines invited city, state, and federal officials to work on a plan for the clean-up process. "These communities have been ignored way too long," said Daines. Daines' main push during the tour and visit was less talk and more action. He believes the first step is coming to a meeting of the minds, which is why he extended an invite to tour the Superfund to local officials as well as Wheeler. Wheeler said the last time an EPA head came to both Anaconda and Butte was 1990. He hopes by visiting and learning more about the clean-up that conversation will open up not only to him but to the community. "It's not just cleaning up a site in a vacuum," said Wheeler. "We have to make sure we are working with the community groups and make sure there is a buy-in among the community people and make sure we are communicating any risk that occurs during the clean-up process."

NBC Montana: Acting EPA Administrator Pledges Butte, Anaconda Superfund Cleanup By 2025 (Vídeo Included)

The Berkeley Pit is the largest Superfund site in the U.S. and has collected a toxic body of water that stretches a mile across and 1,780 feet in depth. Locals say the pit has been collecting toxic water longer than the mine was in operation, and it's about time the former open-pit copper mine gets cleaned up. Local officials and U.S. Sen. Steve Daines welcomed acting EPA Administrator Andrew Wheeler in Butte Friday to get a firsthand look at both the Butte and Anaconda Superfund sites. At two months into his tenure, Wheeler's visit marked the first time in over 20 years that an EPA administrator paid a visit to Butte or Anaconda.

KFBB-ABC (Video Included)

Colorado Clips (September 8th)

RADIO:

Colorado Public Radio: EPA Chief Wheeler On Rocky Flats: 'It Is Safe'

On Sunday, acting Environmental Protection Agency administrator Andrew Wheeler toured soon-to-beopened trails on the buffer zone outside a former nuclear weapons production facility. "It is safe," Wheeler said of the 10.3 miles of trails at Rocky Flats National Wildlife Refuge. "We've had a number of different scientists come out here," he added. "We've done a lot of monitoring over the years. We believe it's protective of human health."

KHOW-Radio: EPA (Acting) Administrator Andrew Wheeler Joins Ross For A Conversation (Audio Included)

PRINT:

Western Wire: EXCLUSIVE: Wheeler Touts Superfund Priorities In West, EPA Need For Risk Communication
The U.S. Environmental Protection Agency will continue to prioritize Superfund clean ups, transparent and
effective risk communications, and listening to communities said EPA's Acting Administrator, Andrew
Wheeler. Wheeler met with EPA Region 8 staff and employee leadership on Monday in Denver. Afterwards, he
sat down with Western Wire to discuss his Region 8 tour of Superfund sites and the agency's need for better
risk communications with communities affected by decades-long clean-up efforts and for communities just
beginning to deal with new environmental issues. "I had a really good meeting with our Region 8 staff today.
We have a lot of hard-working, dedicated employees in this region and I think they're making a difference,"
Wheeler said. EPA's Region 8 serves Colorado, Montana, North and South Dakota, Utah, Wyoming, and 27
Tribal Nations.

DC REGIONAL CLIPS

SAFE Rule (August 2nd-3^{rd)}

PRINT:

Detroit Free Press: EPA chief: Obama fuel economy standards could cost \$500B

The Trump administration official leading the effort to change — and possibly freeze — fuel economy standards says he isn't looking for a fight with California, legal or otherwise but has an obligation to revisit Obama-era standards the data suggest cost money and lives. In an interview with the Free Press on Thursday, acting Environmental Protection Agency Administrator Andrew Wheeler said that data compiled by his agency suggest that the existing fuel economy standards

could end up costing consumers about \$500 billion over the next half-century and result in 1,000 extra traffic deaths a vear.

Dallas Morning News: EPA chief seeks to ease automakers' worries that relaxed fuel standards could split U.S. market
Andrew Wheeler, acting Environmental Protection Agency administrator, on Friday sought to allay automakers' fears
that the Trump administration's plan to freeze fuel efficiency standards could end up creating different rules in different
U.S. states. "We certainly don't want that to happen," he told The Dallas Morning News. "We want a 50-state standard."
That pledge holds deep significance for automakers like Toyota — which has its North American headquarters in Plano
and a major plant in San Antonio — now that the EPA has unveiled its formal proposal to weaken one of President
Barack Obama's marquee proposals to fight climate change.

Columbus Dispatch: Acting EPA boss says lower MPG standards will help car buyers

The acting administrator of the U.S. Environmental Protection Agency defends a White House decision to curb stringent new standards on fuel economy mandated by the Obama White House, saying the decision will allow more people to buy fuel-efficient new cars, benefiting both the economy and the environment. The new preferred proposal — which acting EPA administrator Andrew Wheeler stressed is just a proposal, still subject to comment and revision — would cap the goal of auto efficiency at 37 miles per gallon through 2026. Obama's guidelines, meanwhile, had called for auto manufacturers to reach a fleet average of 54.5 miles per gallon by 2026. The plan to halt the goal at 37 miles per gallon was presented as the preferred option of a list of alternatives, including one alternative that would keep the current Obama-era plan in place. The proposal, expected to be challenged in the courts, reverses Obama's plan to keep tightening standards through 2026 in order to improve air quality. It also would bar states such as California from setting their own tougher fuel-efficiency standards, striving instead for what Wheeler called a "50-state solution."

RADIO:

Radio Interview with Brad Giese on WGOW in Chattanooga (August 2nd) no link Radio Interview with Frank Beckerman on WJR in Detroit (August 3rd) no link Radio Interview with Tony Katz on WIBC in Indianapolis (August 3rd) no link

TELEVISION:

Sinclair TV: Acting EPA Administrator Andrew Wheeler discusses freezing emission standards

The Environmental Protection Agency recently announced that they are proposing freezing certain emission standards at 2020 levels until 2026. I spoke to the acting administrator of the EPA, Andrew Wheeler about the rationale behind that proposal.

ACE Rule

RADIO:

Radio Interview with Mark Cox on FM Newstalk 97.1 in St. Louis (August 22nd) no link Radio Interview with Scott Hennen on WZFG in Fargo & KFYR in Bismarck (August 22nd) no link Radio Interview with Kansas City's Morning News on KMBZ in Kansas City (August 22nd) no link

TELEVISION:

TV Interview with Michelle Macaluso of Sinclair (August 22nd)
TV Interview with Gray TV (August 22nd)

Sorghum RFS Announcement

PRINT:

Omaha World Herald: New EPA chief aims to balance ethanol, oil interests; he could pursue changes to ethanol mandate Acting Environmental Protection Agency chief Andrew Wheeler said this week that he could pursue changes to the federal ethanol mandates that have been such an economic driver for corn belt states such as Nebraska and Iowa. "When everybody's complaining about a program from every side, then we ought to take a look and figure out if there's a way to make the program better, and I'm certainly open to trying to make the program better," Wheeler told reporters. Wheeler stressed that the agency must ensure it's following both the letter and spirit of the law. He rejected making changes to ethanol policy in piecemeal fashion. Wheeler's predecessor, Scott Pruitt, angered ethanol producers and their lawmakers with his attempts to overhaul the Renewable Fuel Standard. The RFS requires a certain amount of

The Lincoln Journal-Star: EPA Approves sorghum oil pathway

ethanol and other biofuels be used every year.

Environmental Protection Agency Administrator Andrew Wheeler on Tuesday approved sorghum oil as an eligible feed stock under the Renewable Fuel Standard. EPA approval came as National Sorghum Producers leadership and Sens. Deb Fischer (R-Neb.) and Jerry Moran (R-Kan.), along with Rep. Roger Marshall (R-Kan.) convened at EPA headquarters in Washington. 'This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries,' said NSP Chairman Don Bloss, a sorghum farmer from Pawnee City. 'NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce.'"

The High Plains Journal: EPA approves new sorghum oil pathway under RFS

"The Environmental Protection Agency July 24 issued a final notice approving a variety of pathways for renewable fuel derived from sorghum, including biodiesel as a part of the Renewable Fuel Standard program. Sorghum industry leaders see EPA's announcement as a significant step toward leveling the playing field for ethanol plants extracting oil from sorghum. Members of the National Sorghum Producers worked closely with the EPA for over two years to establish a biofuels pathway for sorghum oil in the RFS, and the announcement was celebrated at EPA headquarters with political officials and farm group representatives. EPA Acting Administrator Andrew Wheeler signed the final pathway alongside Sen. Deb Fischer, R-NE; Rep. Roger Marshall, R-KS; the NSP; and the American and Nebraska Farm Bureau Federation." AG Daily: Sorghum oil now EPA approved for ethanol industry

Sorghum oil is now an approved feedstock under the Renewable Fuel Standard after a signing event Tuesday at EPA headquarters in Washington, D.C. The EPA's announcement marks a significant step toward leveling the playing field for ethanol plants extracting oil from sorghum. National Sorghum Producers worked closely with the EPA for over two years to establish a biofuels pathway for sorghum oil in the RFS, and this announcement provides new market access for the crop. 'This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries,' said NSP Chairman Don Bloss, a sorghum farmer from Pawnee City, Nebraska. 'NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce.'

The Progressive Farmer: Sorghum Oil Approved for RFS

"Acting EPA Administrator Andrew Wheeler on Tuesday announced his agency had approved sorghum oil as a feedstock under the Renewable Fuel Standard as an advanced biofuel and biodiesel product. EPA, sorghum industry leaders, senators and congressmen held a roundtable discussion late Tuesday afternoon to talk about the importance of the decision for ethanol plants and sorghum producers. A Texas producer told Wheeler that the decision would help motive more farmers to grow sorghum, which takes less water than crops such as corn. The National Sorghum Producers pushed for more than two years to get sorghum oil as part of the Renewable Fuel Standard."

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 9/28/2018 5:38:33 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: St. Louis Coverage

West Lake Landfill Superfund ROD Coverage 9.27.2018

The St. Louis-Post Dispatch: EPA reaches cleanup decision for radioactive West Lake Landfill Superfund site. After years of bureaucratic inaction and escalating frustration and concern from the surrounding community, the Environmental Protection Agency has finally settled on a strategy to clean up the radioactive waste at the West Lake Landfill Superfund site in Bridgeton. Compared with a proposal from earlier this year, the selected remedy is about \$30 million cheaper and will be completed about one year faster. The agency said late Wednesday that it would slightly modify its earlier proposal to partly remove the site's contamination, employing "more flexibility" by digging to varying depths to target spots where radioactivity is concentrated.



The Washington Post: EPA orders extensive cleanup of radioactive waste site near St. Louis

The Environmental Protection Agency on Thursday ordered an aggressive cleanup of a long-controversial landfill contaminated with radioactive waste near St. Louis, delighting community activists who have fought for such an outcome but angering companies who argue that the agency's own science called for a more modest cleanup. "This action reflects President Trump's commitment to return EPA to its core responsibility — clean air, clean water and clean land," EPA Acting Administrator Andrew Wheeler said at a morning news conference of the West Lake Landfill in Bridgeton, Mo., which has lingered on the agency's Superfund list since 1990. "We believe this decision strikes the right balance, while emphasizing the health and safety of the community."

The Associated Press: EPA Announces Cleanup Plan for Troubled Missouri Landfill

Some of the illegally dumped nuclear waste buried near a long-smoldering underground fire at a Missouri landfill will be dug up and the rest will be capped under a federal plan announced Thursday. The U.S. Environmental Protection Agency's remedy comes a decade after its initial cap-and-monitor proposal at suburban St. Louis' West Lake Landfill was met with so much opposition that the agency went back to the drawing board. The partial excavation proposal was initially recommended by EPA in February. The project is expected to take a little over four years and cost \$205 million, a price tag that will be shouldered by the landfill's owner and other parties deemed responsible for the contamination. A preliminary proposal announced in February was similar, but this one is \$30 million cheaper and will take a year less to complete.

Bloomberg BNA: Radioactive Missouri Landfill Gets Thriftier, Quicker EPA Cleanup

A Missouri landfill containing radioactive waste will be cleaned up cheaper and faster after the EPA's acting head opted for a thriftier plan than one his predecessor favored. Former EPA Administrator Scott Pruitt originally chose a \$236 million plan to excavate some of the radioactive waste and cap other waste at the West Lake Landfill in Bridgeton, Mo. Acting Administrator Andrew Wheeler signed off on a \$205 million plan Sept. 27. Wheeler's final, three-year plan includes some variance in the depth of excavation, ranging from eight to 20 feet. Pruitt's \$236 million plan proposed

excavating some radioactive waste down to 16 feet and would have taken 5 years.

Fox 2: EPA to announce clean-up decision for Westlake Landfill

Our partners at the Post-Dispatch are reporting that the Environmental Protection Agency will officially sign off on a final plan Thursday morning to clean up radioactive waste at the Westlake Landfill in Bridgeton. The Post says the plan differs from one discussed earlier this year, in that it will cost \$30 million dollars less, and finish up a year sooner. The EPA says the plan includes digging between 8 and 20 feet down into target spots to remove waste over a four-and-a-half-year period, while still leaving 30 percent of the waste on site.

St. Louis: Public Radio: EPA approves final plan to dig out contaminated waste at West Lake Landfill

The Environmental Protection Agency has decided how it plans to clean up the radioactive waste at the West Lake Landfill Superfund site. The St. Louis Post-Dispatch reported late Wednesday that the federal agency has chosen a solution that will remove about 70 percent of the site's radioactivity, and the waste would be disposed at an off-site facility. The \$205 million plan is similar, though less expensive, to what officials proposed in February this year. Area residents have long been concerned about the site's proximity to the Bridgeton Landfill, which contains an underground smoldering fire.

KMOX: EPA to Announce Final Plans for West Lake Landfill Cleanup

The U.S. Environmental Protection Agency is scheduled to announce Thursday its final plans for cleaning up the radioactive West Lake Landfill in Bridgeton. The site, adjacent to an underground fire at a garbage landfill, contains nuclear material from the Manhattan Project, which created the atomic bombs dropped on Japan at the end of World War II. Amid fears that the garbage fire could spread to the nuclear waste, the EPA has been studying what to do about the site for years. At one point, the EPA considered building a wall to isolate the fire, but that was abandoned because surveys found the nuclear material was strewn across too wide an area.

James Hewitt Environmental Protection Agency Press Secretary (202) 578-6141

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/18/2017 6:40:02 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: FW: Julie and Michael -

FYI.

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 1:16 PM

To: Pace, Julie <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 1:05 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Pace, Julie < JPace@ap.org >

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 12:29 PM

To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." — EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/18/2017 6:39:17 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

CC: Kelly, Albert [kelly.albert@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Greaves, Holly

[greaves.holly@epa.gov]

Subject: FW: Julie and Michael ...

FYI ...

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 1:18 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael ...

Here's our on-the-record statement:

"Despite fear-mongering from the Associated Press, not a single dollar has actually been eliminated, as Congress still hasn't passed a budget." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: Superfund sites in flood zones

Liz, Jahan,

The Associated Press has developed an updated list of 327 Superfund sites across the US that are currently on the National Priorities List that are located in FEMA-mapped flood zones or in areas NOAA has mapped as potentially vulnerable to sea level rise caused by climate change.

While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/18/2017 5:57:54 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov];

Ferguson, Lincoln [ferguson.lincoln@epa.gov]

CC: Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]

Subject: APPROVAL: Superfund sites in flood zones

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Superfund sites in flood zones

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Please provide on the record response for publication.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/13/2017 6:54:38 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

CC: Hupp, Millan [hupp.millan@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]

Subject: FW: Pruitt in Paris/Morocco

FYI.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, December 13, 2017 1:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

I did misstate that the \$17,500 is for Pruitt's airfare. That is a total including other expenses. Are there other issues you would like to raise?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, December 13, 2017 1:38 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov > Subject: RE: Pruitt in Paris/Morocco

Michael -

Not everything you have listed is correct, you should make sure your source is giving you accurate information. Below is our on-the-record statements:

"This trip allowed us to directly convey our priorities and best practices with Moroccan leaders, as well as identify opportunities for continued cooperation, as our two countries further talks around the Environmental Work Plan. We are committed to working closely with countries like Morocco to enhance environmental stewardship around the world." — EPA Administrator Scott Pruitt

"EPA Administrator Pruitt discussed our bilateral free trade agreement, solid waste response, disaster relief and communications with top Moroccan officials." – EPA spokesman, Jahan Wilcox.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, December 12, 2017 12:34 PM **To:** Biesecker, Michael < <u>MBiesecker@ap.org</u>>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 12:09 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/13/2017 6:31:49 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly

[block.molly@epa.gov]

Subject: Re: APPROVAL: Pruitt in Paris/Morocco

Good

Sent from my iPhone

On Dec 13, 2017, at 1:31 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Liz - can you approve

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:19 PM

To: Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: FW: APPROVAL: Pruitt in Paris/Morocco

Importance: High

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:18 PM **To:** Greenwalt, Sarah < sgreenwalt.sarah@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov >; Ferguson, Lincoln < ferguson.lincoln@epa.gov >; Hupp, Millan

<hupp.millan@epa.gov>

Subject: FW: APPROVAL: Pruitt in Paris/Morocco

Importance: High

Sarah -

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:08 PM

To: Jackson, Ryan < jackson.ryan@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

From: Jackson, Ryan

Sent: Wednesday, December 13, 2017 12:59 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Don't respond with this.

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 11:53 AM

To: Jackson, Ryan <<u>jackson.ryan@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

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Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

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Michael

From: Biesecker, Michael

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Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

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Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

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To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press

<Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press

<Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/12/2017 7:04:18 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: Pruitt's soundproof booth

Not surprised he is excited about this one...

From: Wilcox, Jahan

Sent: Tuesday, December 12, 2017 2:03 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John

<konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block,

Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: FW: Pruitt's soundproof booth

From: Wilcox, Jahan

Sent: Tuesday, December 12, 2017 1:59 PM **To:** 'Biesecker, Michael' < MBiesecker@ap.org>

Cc: 'Pace, Julie' < JPace@ap.org>

Subject: RE: Pruitt's soundproof booth

"The use of a secure phone line is strongly preferred for cabinet-level officials, especially when discussing sensitive matters. We do not comment on OIG matters until they are resolved."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 1:56 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: Pruitt's soundproof booth

Jahan,

IG confirms it has opened an investigation. Does EPA have any response?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 12/11/2017 2:57:29 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Dravis, Samantha

[dravis.samantha@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Bennett, Tate

[Bennett.Tate@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: EPA News Highlights 12.11.17
Attachments: EPA News Highlights 12.11.17.docx

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

<u>The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement</u> Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the

former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next \$100 in earnings, under certain circumstances, would require paying more than \$100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites

EPA names Butte and Anaconda as priority Superfund sites

By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html

Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about \$50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about \$1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

"We are offering you an opportunity to confer with us about the violations," Mr. Czerniak wrote in the letter. "You may have an attorney represent you at this conference."

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. "Heritage Thermal is one of the city's largest employers," he said. "We are all friends and neighbors with those that work there."

Still, he said, residents want the matter resolved. "Our constituents deserve answers that no one seems to want to provide," he said.

A spokesman for the E.P.A. declined to comment on the case's status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it "is committed to continuously enhancing its performance and environmental compliance."

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. "Something made them slam on the brakes," she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found "the highest levels of ambient manganese concentrations in the United States," a complaint issued during the Obama administration said. Health officials warned that the situation represented "a public health hazard and should be mitigated as soon as possible to reduce harmful exposures."

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was waiting for the court to act. "It would not be appropriate to discuss the open enforcement matters," the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

"It makes me feel like less of a mother," said Ms. Pratt of the pollution problems. "You can't protect your children."

Fighting back tears, she added, "People say to me, 'Why don't you just pick up and move out of here?' Well, I just don't have the money to do that."

Industry Gets a Sympathetic Ear

The memo was marked "Privileged/Confidential/Do Not Release" and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt's top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant

mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay \$2.5 million in civil penalties, some of which will go to Louisiana, and spend \$300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

Reuters

https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next \$100 in earnings, under certain circumstances, would require paying more than \$100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about \$615,000. Getting \$100 more in business income would force the lawyer to pay \$105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first \$100 of the spouse's wages would require \$107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher,

the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below \$500,000 for a married couple.

The deduction then phases out over \$100,000 in income, according to a complex formula, disappearing entirely once income reaches \$624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to \$2,000 but phases it out beginning at \$500,000 income for joint filers. The credit shrinks by \$50 for every \$1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, \$200,000, as opposed to \$100,000, of income above \$500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below \$500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084

Americans Give Trump Higher Grades on Economy Than Overall By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's \$1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past

that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections," said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

EPA News Highlights 12.11.17

[HYPERLINK \I "_Portland_Tribune"]

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

[HYPERLINK \I " KPAX"]

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

[HYPERLINK \I "_The_New_York"]

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

[HYPERLINK \I "_The_Providence_Journal"]

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National News Highlights 12.4.17

[HYPERLINK \I "_Reuters_1"]

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway

tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

[HYPERLINK \I "_The_Wall_Street_1"]

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[HYPERLINK \I "_The_Wall_Street_2"]

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[HYPERLINK \I "_TRUMP_TWEETS_1"]

Portland Tribune

[HYPERLINK "http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention"]

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

[HYPERLINK "http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites"] EPA names Butte and Anaconda as priority Superfund sites
By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

[HYPERLINK "https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html"] Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about \$50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about \$1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

"We are offering you an opportunity to confer with us about the violations," Mr. Czerniak wrote in the letter. "You may have an attorney represent you at this conference."

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. "Heritage Thermal is one of the city's largest employers," he said. "We are all friends and neighbors with those that work there."

Still, he said, residents want the matter resolved. "Our constituents deserve answers that no one seems to want to provide," he said.

A spokesman for the E.P.A. declined to comment on the case's status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it "is committed to continuously enhancing its performance and environmental compliance."

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. "Something made them slam on the brakes," she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found "the highest levels of ambient manganese concentrations in the United States," a complaint issued during the Obama administration said. Health officials warned that the situation represented "a public health hazard and should be mitigated as soon as possible to reduce harmful exposures."

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was waiting for the court to act. "It would not be appropriate to discuss the open enforcement matters," the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

"It makes me feel like less of a mother," said Ms. Pratt of the pollution problems. "You can't protect your children."

Fighting back tears, she added, "People say to me, 'Why don't you just pick up and move out of here?' Well, I just don't have the money to do that."

Industry Gets a Sympathetic Ear

The memo was marked "Privileged/Confidential/Do Not Release" and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt's top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay \$2.5 million in civil penalties, some of which will go to Louisiana, and spend \$300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

[HYPERLINK "http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-fromepa"]

Providence superfund site among 2 priority from EPA By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

Reuters

[HYPERLINK "https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9"]

One person in custody, several injured, in New York explosion By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

[HYPERLINK "https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj"]

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next \$100 in earnings, under certain circumstances, would require paying more than \$100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about \$615,000. Getting \$100 more in business income would force the lawyer to pay \$105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first \$100 of the spouse's wages would require \$107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below \$500,000 for a married couple.

The deduction then phases out over \$100,000 in income, according to a complex formula, disappearing entirely once income reaches \$624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to \$2,000 but phases it out beginning at \$500,000 income for joint filers. The credit shrinks by \$50 for every \$1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, \$200,000, as opposed to \$100,000, of income above \$500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below \$500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

[HYPERLINK "https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084"]

Americans Give Trump Higher Grades on Economy Than Overall By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

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A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's \$1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections," said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/11/2017 2:54:03 PM

To: Hewitt, James [hewitt.james@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]

Subject: RE: FOR APPROVAL//EPA News Highlights 12.11.17

Good, thanks

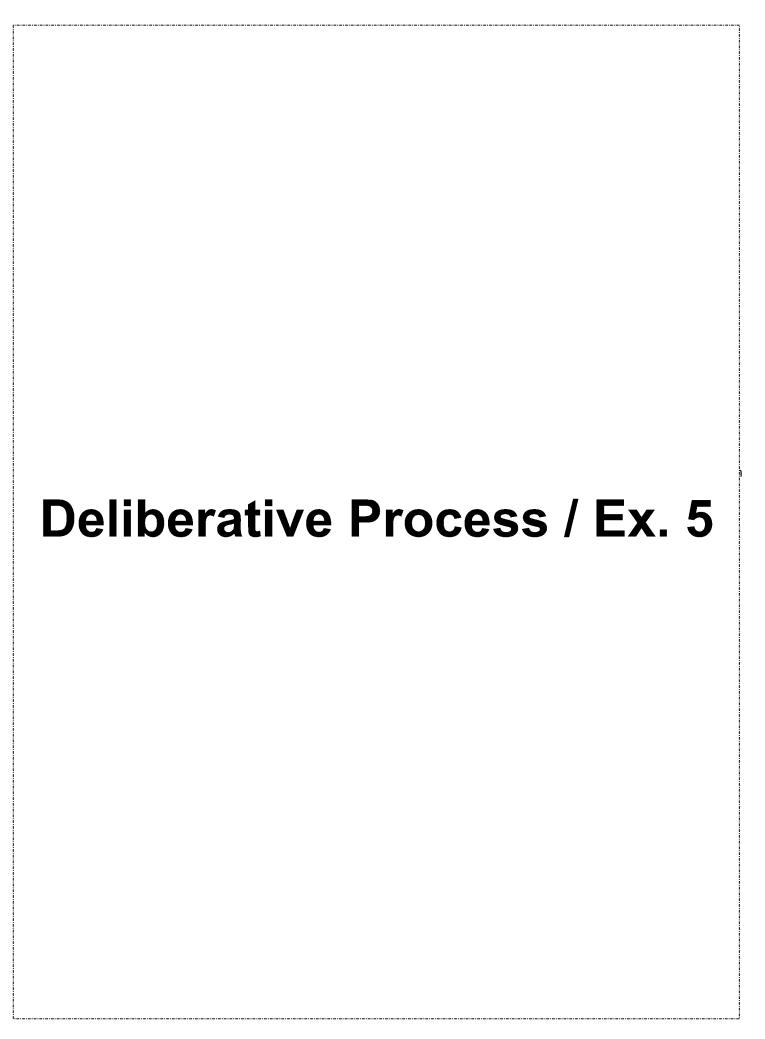
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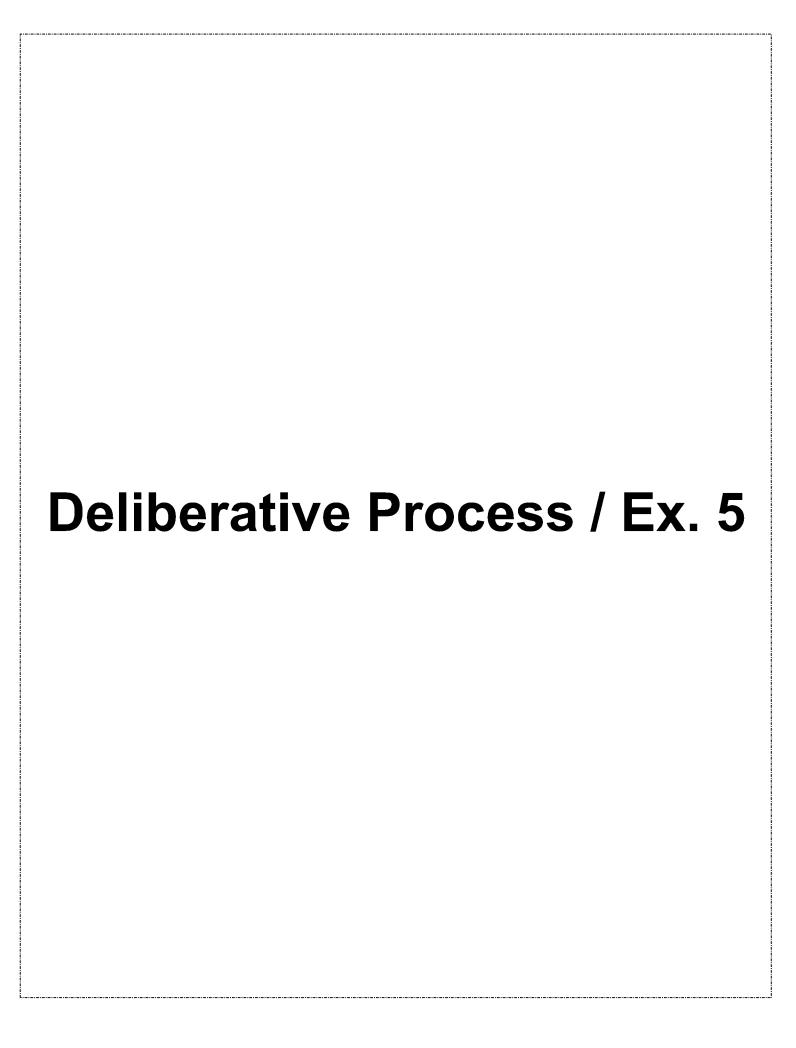
Sent: Monday, December 11, 2017 9:05 AM

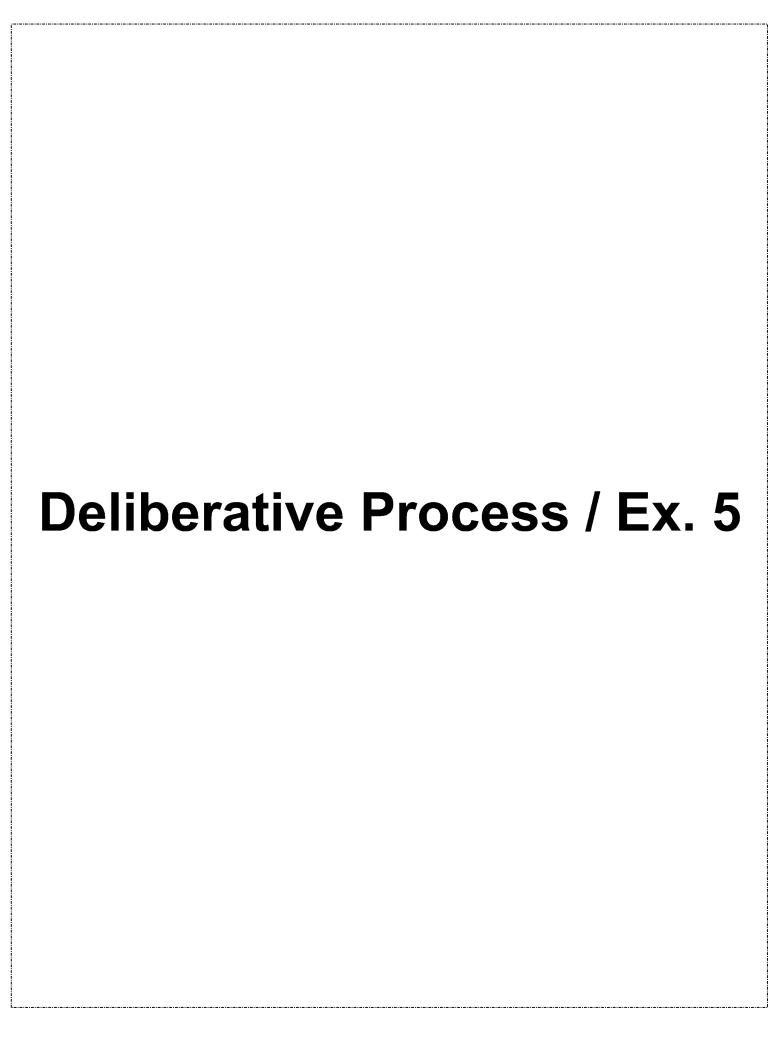
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>

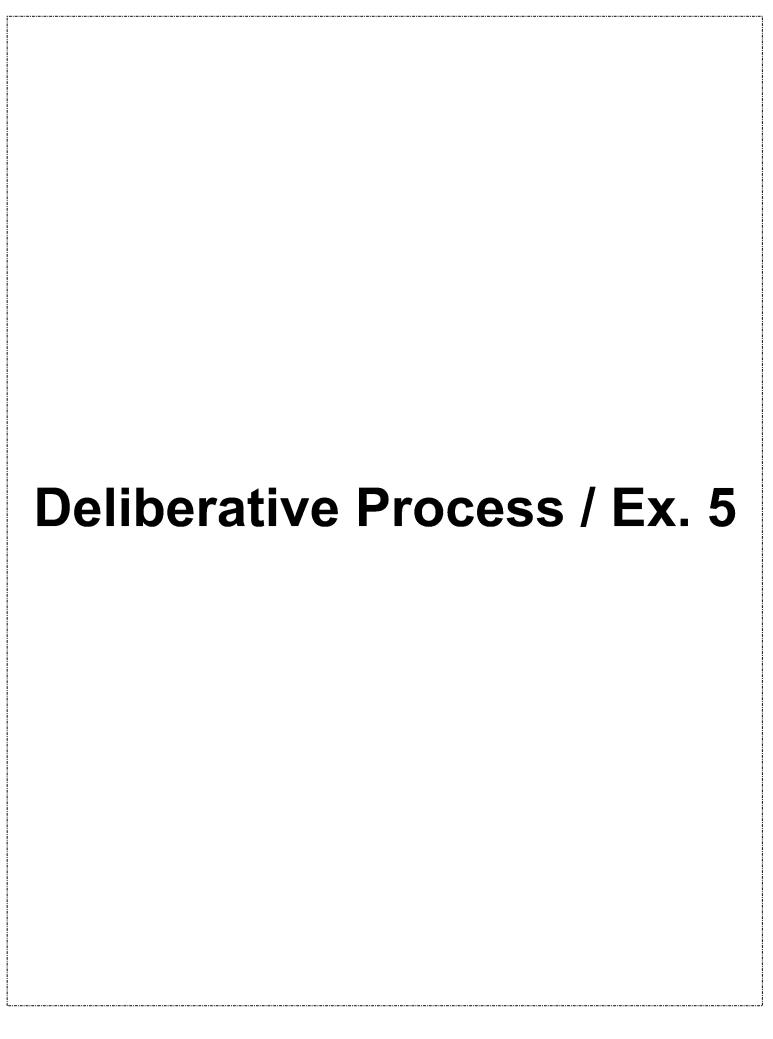
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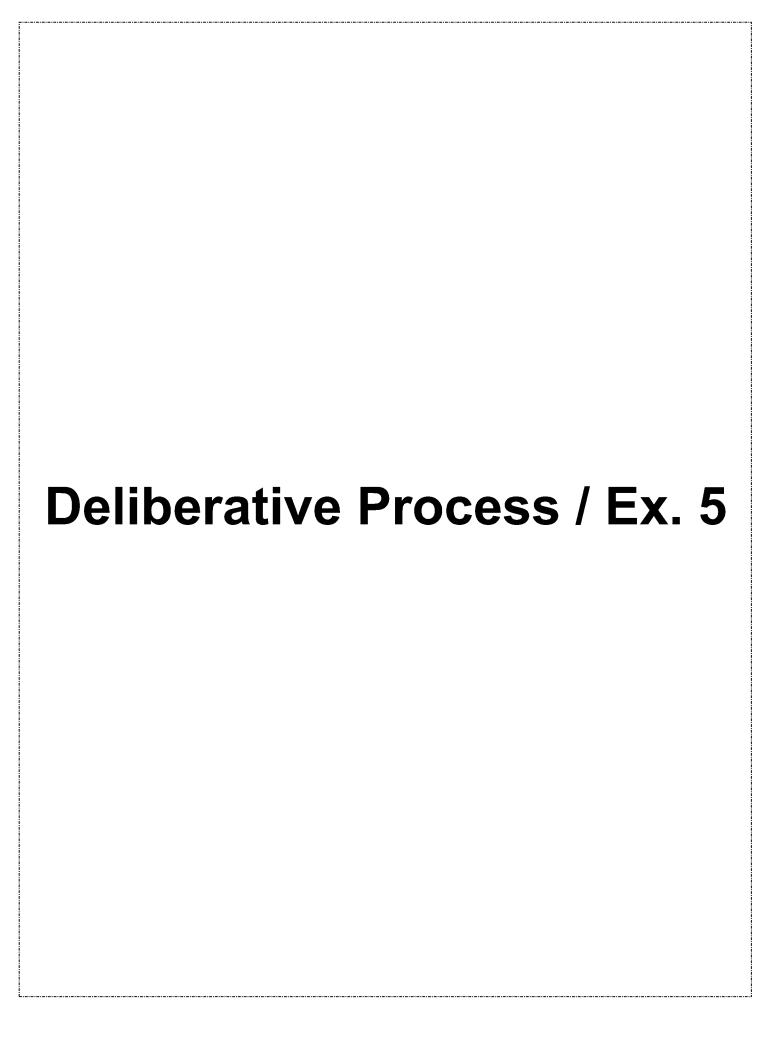
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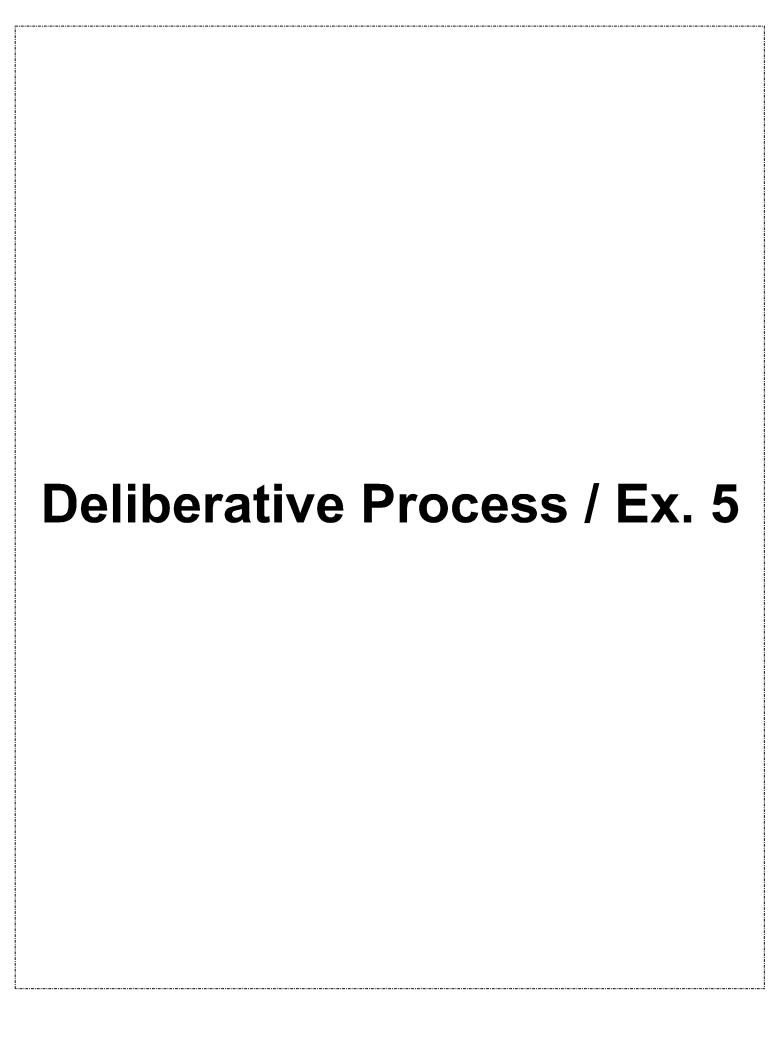


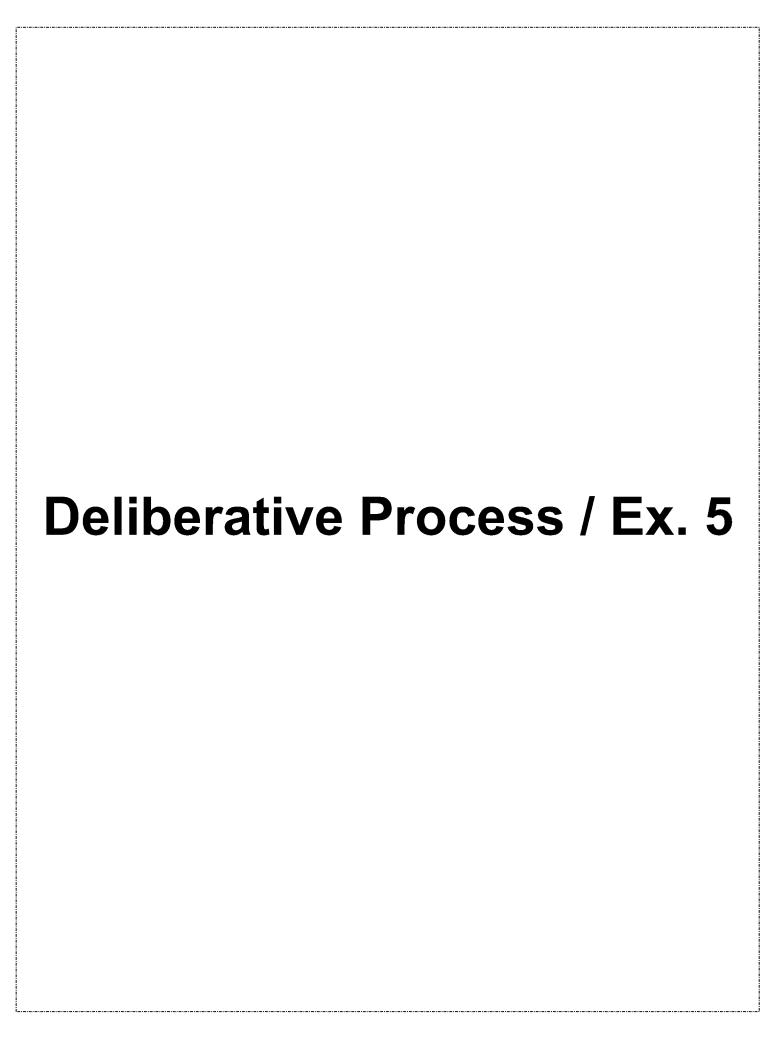


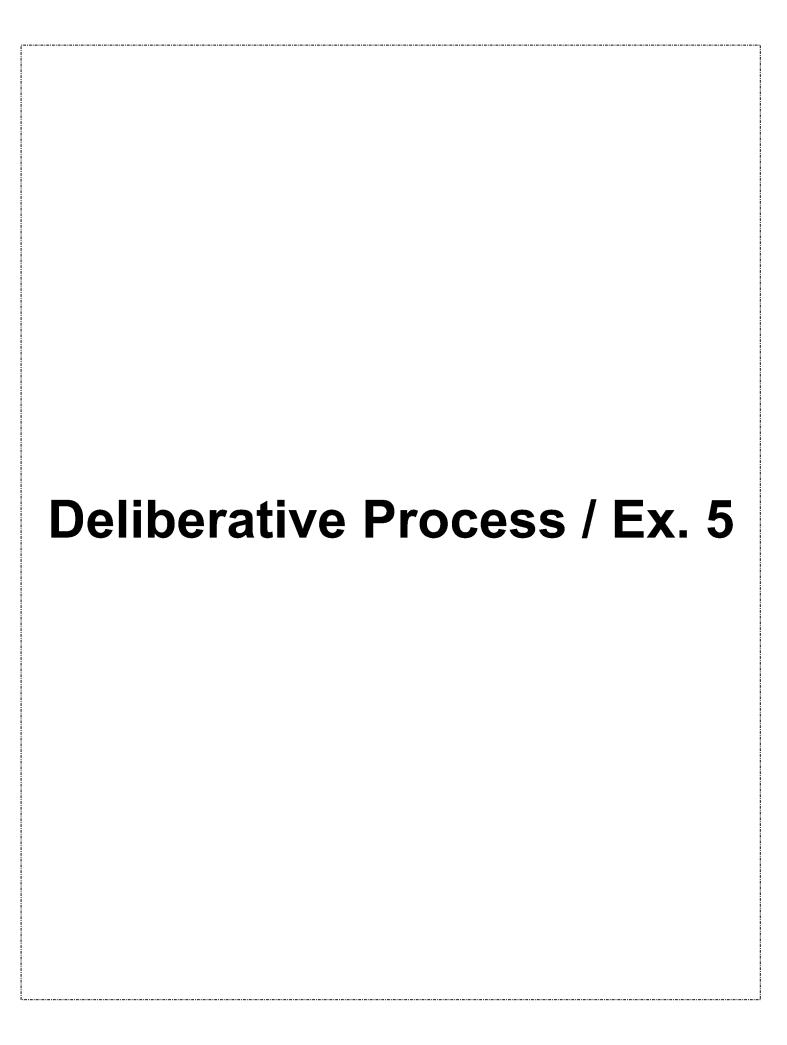


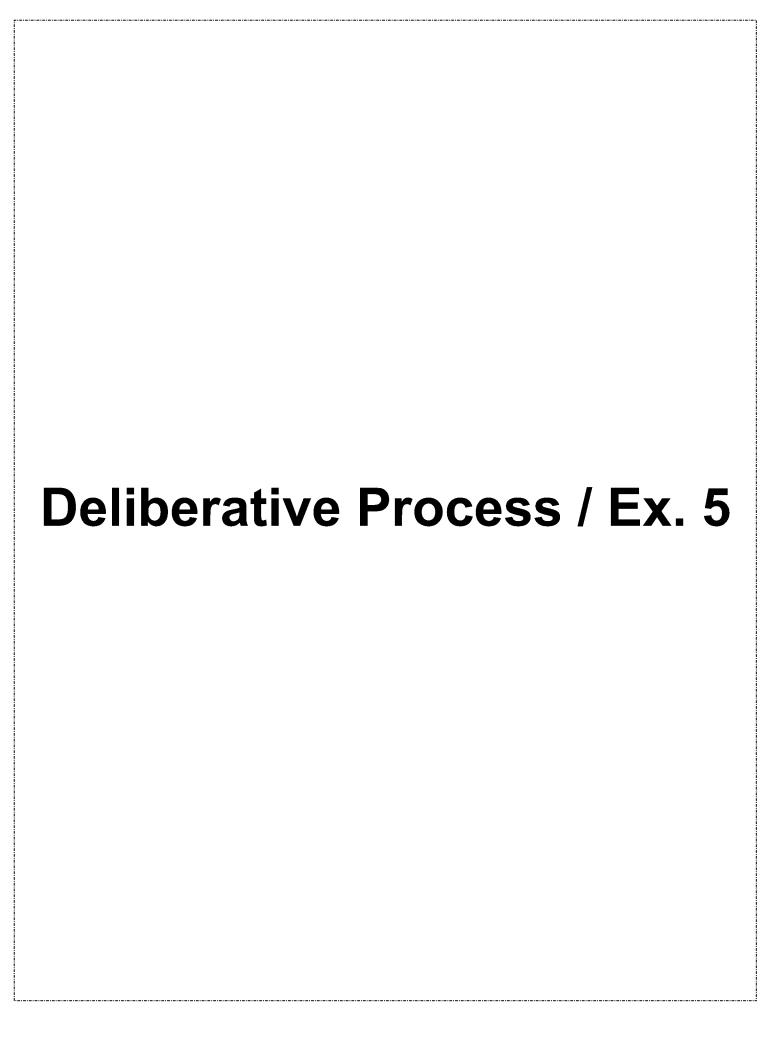


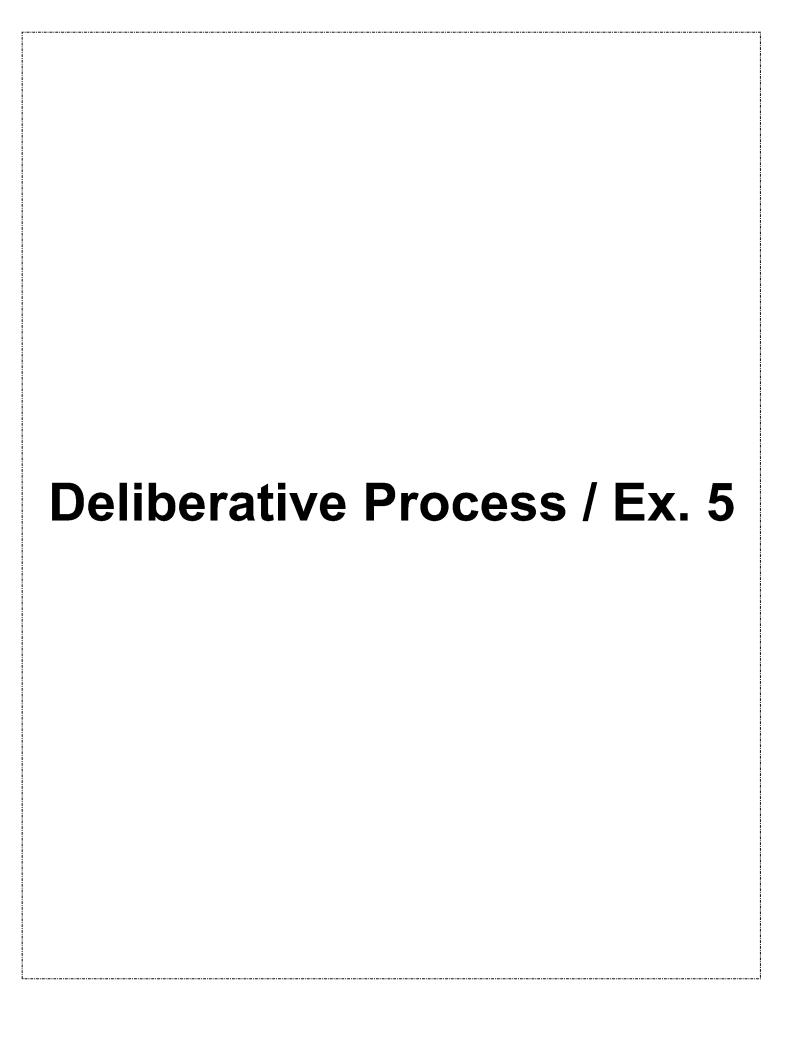


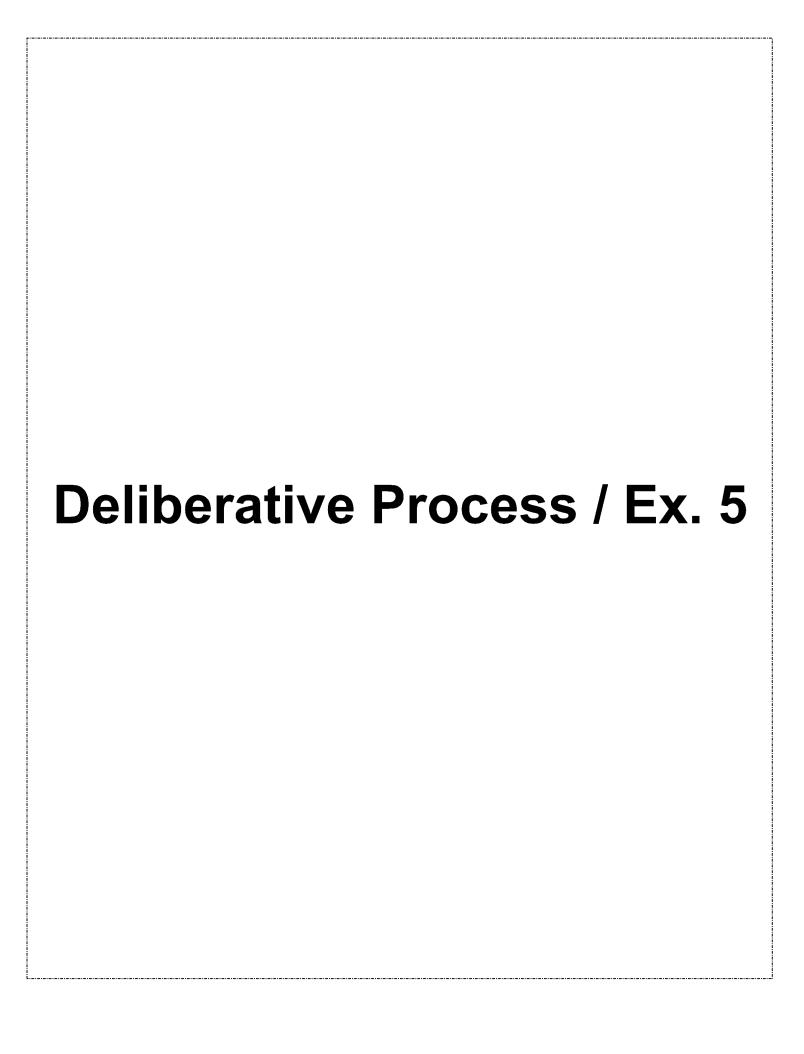


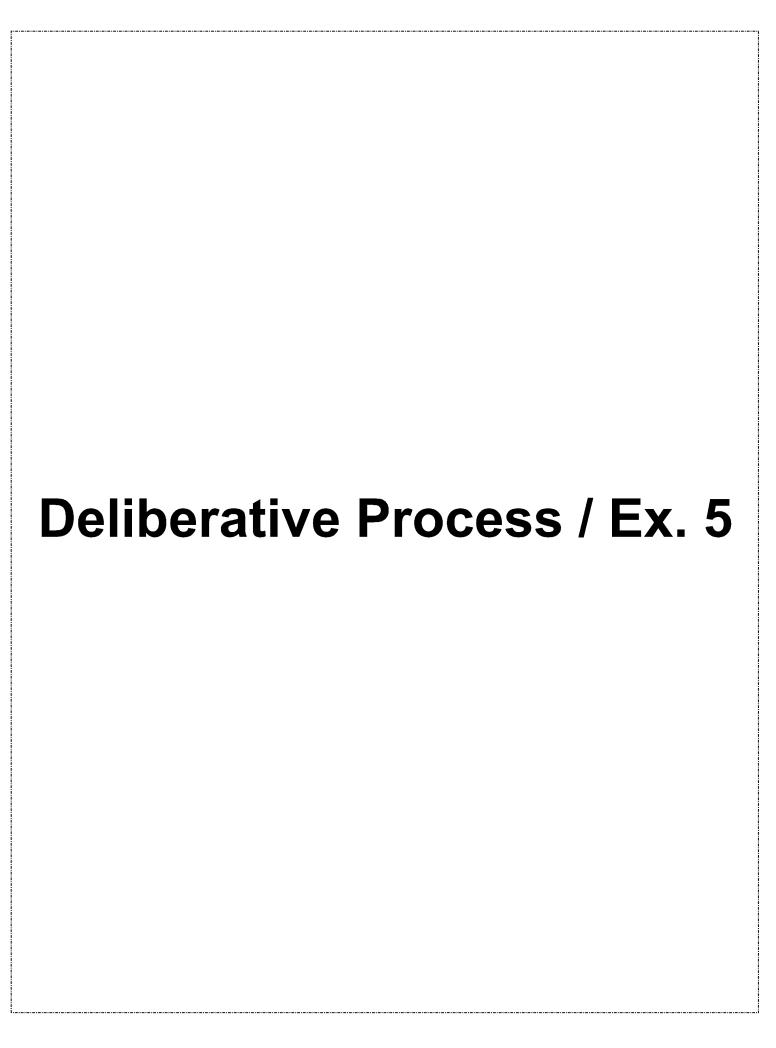


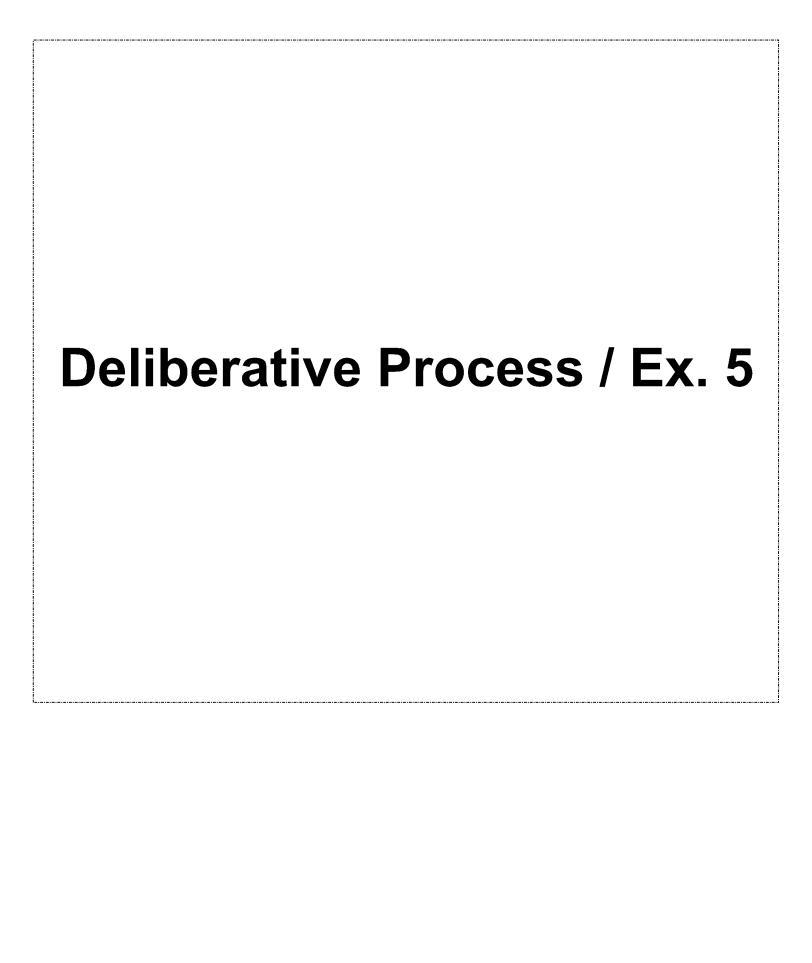












Message

From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 12/6/2017 9:37:35 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

Thanks.

From: Abboud, Michael [mailto:abboud.michael@epa.gov]

Sent: Wednesday, December 06, 2017 4:21 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov> **Subject:** Re: EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

We are finalizing the information, and as soon as we have we will publish it.

Sent from my iPhone

On Dec 6, 2017, at 4:18 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Are there dates and times for these hearings yet?

Begin forwarded message:

From: "EPA Press Office" < press@epa.gov > Date: December 6, 2017 at 3:11:07 PM EST

To:

Subject: EPA Announces Additional Public Listening Sessions on Proposed Repeal of

Clean Power Plan

Reply-To: press@epa.gov



EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

WASHINGTON (December 6, 2017) — The U.S. Environmental Protection Agency (EPA) will hold three additional public listening sessions on the proposed repeal of the Clean Power Plan in San Francisco, Calif., Gillette, Wyo. and Kansas City, Mo.

"Due to the overwhelming response to our West Virginia hearing, we are announcing additional opportunities for the public to voice their views to the Agency," said EPA Administrator Scott Pruitt.

Public listening sessions will be on EPA's proposed repeal of the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (commonly known as the Clean Power Plan). Dates and specific locations will be released in coming weeks; please see the website for details. All persons wanting to speak are encouraged to register in advance.

"The Trump administration is listening to the people of Wyoming," said U.S. Senator John Barrasso (R-WY), chairman of the Senate Committee on Environment and Public Works (EPW). "Today's announcement that the EPA will hold a listening session in Gillette, on the impacts of the so-called 'Clean Power Plan,' demonstrates the administration's commitment to hear directly from the people who would have been hurt most by this punishing regulation. The Clean Power Plan would have meant lost jobs for energy workers in Gillette and across Wyoming. I am thankful to EPA Administrator Scott Pruitt for his leadership on this important issue."

Registration information will be posted at: https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-plan

Oral comments and supporting information presented at each session will be included in the docket for this proceeding.

Written comments about EPA's proposal must be received by the last day of the comment period, January 16, 2018. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0355 and may be submitted by one of the methods listed on the Clean Power Plan Proposed Repeal: How to Comment web page.

Background:

Soon after the previous Administration issued the Clean Power Plan in 2015, 150 entities including 27 states, 24 trade associations, 37 rural electric co-ops, and three labor unions challenged the CPP, highlighting a range of legal and technical concerns. A few months later, the United States Supreme Court stayed the CPP, immediately halting implementation—the first time the Supreme Court had ever issued a stay to block the enforcement of a regulation.

On March 28, 2017, Administrator Pruitt signed a notice indicating the EPA's intent to review the Clean Power Plan, in accord with the President's Energy Independence Executive Order. On October 16, the EPA proposed to repeal the Clean Power Plan, proposing that it is not consistent with the Clean Air Act. EPA is now taking comment on

that proposal and has extended the public comment period to January 16, 2018.

<imageoo1.png>



U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004

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Message

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 9/27/2018 8:01:56 PM

To: Administrator / Ex. 6 Jackson, Ryan [jackson.ryan@epa.gov]; Molina, Michael

[molina.michael@epa.gov]

CC: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]

Subject: West Lake Landfill Superfund ROD Coverage 9.27.2018 **Attachments**: West Lake Landfill Superfund ROD Coverage 9.27.2018.docx

All,

Attached and pasted below are notable media stories from today's ROD announcement.

West Lake Landfill Superfund ROD Coverage 9.27.2018

The St. Louis-Post Dispatch: EPA reaches cleanup decision for radioactive West Lake Landfill Superfund site

After years of bureaucratic inaction and escalating frustration and concern from the surrounding community, the Environmental Protection Agency has finally settled on a strategy to clean up the radioactive waste at the West Lake Landfill Superfund site in Bridgeton. Compared with a proposal from earlier this year, the selected remedy is about \$30 million cheaper and will be completed about one year faster. The agency said late Wednesday that it would slightly modify its earlier proposal to partly remove the site's contamination, employing "more flexibility" by digging to varying depths to target spots where radioactivity is concentrated.

The Washington Post: EPA orders extensive cleanup of radioactive waste site near St. Louis

The Environmental Protection Agency on Thursday ordered an aggressive cleanup of a long-controversial landfill contaminated with radioactive waste near St. Louis, delighting community activists who have fought for such an outcome but angering companies who argue that the agency's own science called for a more modest cleanup. "This action reflects President Trump's commitment to return EPA to its core responsibility — clean air, clean water and clean land," EPA Acting Administrator Andrew Wheeler said at a morning news conference of the West Lake Landfill in Bridgeton, Mo., which has lingered on the agency's Superfund list since 1990. "We believe this decision strikes the right balance, while emphasizing the health and safety of the community."

The Associated Press: EPA Announces Cleanup Plan for Troubled Missouri Landfill

Some of the illegally dumped nuclear waste buried near a long-smoldering underground fire at a Missouri landfill will be dug up and the rest will be capped under a federal plan announced Thursday. The U.S. Environmental Protection Agency's remedy comes a decade after its initial cap-and-monitor proposal at suburban St. Louis' West Lake Landfill was met with so much opposition that the agency went back to the drawing board. The partial excavation proposal was initially recommended by EPA in February. The project is expected to take a little over four years and cost \$205 million, a price tag that will be shouldered by the landfill's owner and other parties deemed responsible for the contamination. A preliminary proposal announced in February was similar, but this one is \$30 million cheaper and will take a year less to complete.

Bloomberg BNA: Radioactive Missouri Landfill Gets Thriftier, Quicker EPA Cleanup

A Missouri landfill containing radioactive waste will be cleaned up cheaper and faster after the EPA's acting head opted for a thriftier plan than one his predecessor favored. Former EPA Administrator Scott Pruitt originally chose a \$236 million plan to excavate some of the radioactive waste and cap other waste at the West Lake Landfill in Bridgeton, Mo. Acting Administrator Andrew Wheeler signed off on a \$205 million plan Sept. 27. Wheeler's final, three-year plan includes some variance in the depth of excavation, ranging from eight to 20 feet. Pruitt's \$236 million plan proposed excavating some radioactive waste down to 16 feet and would have taken 5 years.

Fox 2: EPA to announce clean-up decision for Westlake Landfill

Our partners at the Post-Dispatch are reporting that the Environmental Protection Agency will officially sign off on a final plan Thursday morning to clean up radioactive waste at the Westlake Landfill in Bridgeton. The Post says the plan differs from one discussed earlier this year, in that it will cost \$30 million dollars less, and finish up a year sooner. The EPA says the plan includes digging between 8 and 20 feet down into target spots to remove waste over a four-and-a-half-year period, while still leaving 30 percent of the waste on site.

St. Louis: Public Radio: EPA approves final plan to dig out contaminated waste at West Lake Landfill

The Environmental Protection Agency has decided how it plans to clean up the radioactive waste at the West Lake Landfill Superfund site. The St. Louis Post-Dispatch reported late Wednesday that the federal agency has chosen a solution that will remove about 70 percent of the site's radioactivity, and the waste would be disposed at an off-site facility. The \$205 million plan is similar, though less expensive, to what officials proposed in February this year. Area residents have long been concerned about the site's proximity to the Bridgeton Landfill, which contains an underground smoldering fire.

KMOX: EPA to Announce Final Plans for West Lake Landfill Cleanup

The U.S. Environmental Protection Agency is scheduled to announce Thursday its final plans for cleaning up the radioactive West Lake Landfill in Bridgeton. The site, adjacent to an underground fire at a garbage landfill, contains nuclear material from the Manhattan Project, which created the atomic bombs dropped on Japan at the end of World War II. Amid fears that the garbage fire could spread to the nuclear waste, the EPA has been studying what to do about the site for years. At one point, the EPA considered building a wall to isolate the fire, but that was abandoned because surveys found the nuclear material was strewn across too wide an area.

The St. Louis Dispatch

https://www.stltoday.com/business/local/epa-reaches-cleanup-decision-for-radioactive-west-lake-landfill-superfund/article_70796e6f-d975-5122-8670-16a67154b442.html

EPA reaches cleanup decision for radioactive West Lake Landfill Superfund site By Bryce Gray



After years of bureaucratic inaction and escalating frustration and concern from the surrounding community, the Environmental Protection Agency has finally settled on a strategy to clean up the radioactive waste at the West Lake Landfill Superfund site in Bridgeton.

Compared with a proposal from earlier this year, the selected remedy is about \$30 million cheaper and will be completed about one year faster.

The agency said late Wednesday that it would slightly modify its earlier proposal to partly remove the site's contamination, employing "more flexibility" by digging to varying depths to target spots where radioactivity is concentrated. The strategy is outlined in a record of decision, set to be signed Thursday morning in Washington by the agency's acting administrator, Andrew Wheeler.

The announcement caps years of anticipation and fierce debate. Concerned area residents have strongly called for full excavation of the site and remote disposal of its contents — the most thorough, and expensive, cleanup possible — while some groups responsible for covering remediation costs sought to have the site capped, which was the least expensive option weighed by the EPA.

The chosen plan falls between those two options, and closely resembles the proposal put forward in February. That strategy, announced by former EPA Administrator Scott Pruitt, was dubbed "Excavation Plus," and entailed partial removal of the site's radioactive contaminants, followed by installation of a specially engineered cover as a form of long-term protection.

That proposal called for excavation to a depth of 16 feet across the site, which agency officials said would remove the bulk of the site's radioactivity. Now, however, excavation depth will vary between 8 feet and 20 feet below the landfill's surface.

"We're going to have more flexibility as we excavate," Wheeler said Wednesday in a phone interview with the Post-Dispatch. "In some areas, it will be as deep as 20 feet or perhaps as shallow as 8 feet. We're going to decrease the amount of nonradioactive waste that needs to be removed from the site and focus our efforts on the radioactive waste."

Agency officials said about 70 percent of the radioactivity at the site would be removed. They said radioactivity that remains in the unlined landfill will be at a depth where it is not expected to pose public health risks, and that groundwater will be monitored going forward.

The estimated \$205 million cost will be shouldered by a handful of public and private entities deemed "potentially responsible parties" that are liable for the site. The EPA said that allocation of those costs is decided among those parties, and "may not necessarily be evenly divided."

Those entities include Republic Services — the company that operates the landfill through a subsidiary — the U.S. Department of Energy and Chicago-based Exelon Corp., whose subsidiary, ComEd, formerly owned the uranium processor, Cotter Corp.

The cleanup process is estimated to take about four and a half years to complete. About 18 months will be spent in a "design phase," while excavation and landfill cover construction is expected to take three years. The agency said it does not have a precise time frame but aims to begin the design phase "as soon as possible" and that it "will make every effort to get an enforceable agreement in place to fund and perform the design."

The contamination removed from the site will be sent to an out-of-state site for disposal. EPA officials said that licensed facilities in Utah, Idaho, Michigan and Colorado were under consideration.

Wheeler emphasized that on-site and off-site safety would be priorities throughout the cleanup process. Considerations ranged from controlling dust to repelling birds from the open landfill.

"The most important thing are the concerns of people who live around the site," said Wheeler.

Radioactive waste stemming from the Manhattan Project in World War II was illegally dumped at the landfill in the 1970s. Although the site was added to the EPA Superfund program's National Priorities List in 1990, it has languished for decades without the start of any remediation work.

Public scrutiny and concern about the site has exploded since 2010, when an underground fire — called a "subsurface smoldering event" by officials — was detected in the adjacent Bridgeton Landfill. The fire has come to within several hundred yards of known radioactive contamination at West Lake, and has been slowed by an engineered cooling system that runs pipes into the landfill.

Though the EPA has never begun work to remediate West Lake, the agency reached a record of decision for the site once before, in 2008. That decision called for leaving contaminants in place and installing a cap over the site, but was reevaluated and ultimately rescinded amid public backlash.

Wheeler said that, this time, the measure was "set in stone."

"We want to move forward in getting this cleaned up," he said.

"We spent a lot of time studying this site over the years. ... We spent quite a bit of time this year looking at the proposal and the issues raised," Wheeler added. "What we've come up with, we believe, is a better approach."

The Washington Post

https://www.washingtonpost.com/energy-environment/2018/09/27/epa-orders-extensive-cleanup-radioactive-waste-site-near-st-louis/

EPA Orders Extensive Cleanup of Radioactive Waste Site Near St. Louis By Brady Dennis

The Environmental Protection Agency on Thursday ordered an aggressive cleanup of a long-controversial landfill contaminated with radioactive waste near St. Louis, delighting community activists who have fought for such an outcome but angering companies who argue that the agency's own science called for a more modest cleanup.

"This action reflects President Trump's commitment to return EPA to its core responsibility — clean air, clean water and clean land," EPA Acting Administrator Andrew Wheeler said at a morning news conference of the West Lake Landfill in Bridgeton, Mo., which has lingered on the agency's Superfund list since 1990. "We believe this decision strikes the right balance, while emphasizing the health and safety of the community."

Wheeler's decision is the latest signal that he intends to largely follow the policy course set out by his predecessor, Scott Pruitt, who resigned from EPA in July amid a flurry of federal ethics investigations. Pruitt was eager during his tenure to balance his industry-friendly regulatory rollbacks with a commitment to accelerating cleanups at the nation's Superfund sites, saying such work was more central to the agency's mission than combating climate change and helping shift the nation to cleaner sources of energy.

Wheeler, who has continued to dismantle Obama-era policies, said Thursday that his decision on West Lake "reflects our larger commitment to the nation to expedite the remediation of superfund sites across the country." The EPA's order, which caps decades of bureaucratic delay, intense debates and public protests, is expected to take fewer than five years and cost those responsible for the site an estimated \$205 million.

The West Lake Landfill contains thousands of tons of radioactive material from the World War II-era Manhattan Project that was dumped at the site in the 1970s, where it has languished ever since amid other waste. The latest plan calls for excavating 70 percent of the radioactive waste from the site — a far cry from a 2008 solution proposed by the George W. Bush administration to cover and monitor the waste at West Lake.

Thursday's final decision triggered a wave of texts and tearful phone calls among a collection of community members who had fretting about the radioactive material near their neighborhoods and lobbied for the government to finally remove it.

"This administration listened to us. I don't know how else to put it," said Dawn Chapman, a founder of Just Moms STL, an activist group that has pushed for an extensive excavation of the site and possible relocation of families near the landfill. "For the first time, we're going to have our community put back together ... I'm angry it took so long, but I'm relieved.

Thursday's decision hardly brought such relief to Republic Services and Exelon, whose subsidiaries are responsible for the cleanup at West Lake, along with the Energy Department. In a statement, the subsidiary of Republic that oversees the site called the order "arbitrary and capricious."

"[We are] opposed to the selected excavation because it creates unacceptable risk with no proportional benefit, will greatly increase the time needed to remediate the site, and is contrary to EPA's own findings regarding the risks posed by the site," the firm said in a statement. It added that the 2008 recommendation to "cap and monitor" the waste wouldn't have risked exposing workers and community members to waste as it is excavated and moved elsewhere.

The Trump administration rejected those arguments. Pruitt's order from February would have forced the companies to undertake a \$236 million cleanup that would dig down roughly 16 feet into the landfill to remove as much radioactive material as possible.

By contrast, Wheeler's final plan will allow workers to dig between 8 and 20 feet below the surface of the landfill, in an effort to focus on areas where radioactive waste is most concentrated. Wheeler said the cleanup is expected to happen a year faster and cost \$30 million less than Pruitt's plan. The agency estimated that about 75,000 cubic tons of contaminated material would be taken off-site by rail and truck.

Before he resigned this summer amid a flurry of federal ethics investigations, Pruitt had promised to speed up Superfund cleanups around the country, and he made a public show of butting heads with corporate interests — something he otherwise rarely did during his time at EPA.

Not long after Hurricane Harvey battered Houston last summer, Pruitt ordered two corporations responsible for a toxic waste site that flooded near the San Jacinto River in Texas to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Still, aside from creating a list of nearly two dozen target sites that needed "immediate and intense" attention, as well as forming a task force to recommend ways to expedite cleanups and "reduce the burden" on companies involved, Pruitt never explained precisely how he intended to deal with the hundreds of other toxic-waste sites that remain around the country, waiting for attention.

The Associated Press

https://www.usnews.com/news/best-states/missouri/articles/2018-09-27/epa-announces-cleanup-plan-for-troubled-missouri-landfill

EPA Announces Cleanup Plan for Troubled Missouri Landfill By Jim Salter

Some of the illegally dumped nuclear waste buried near a long-smoldering underground fire at a Missouri landfill will be dug up and the rest will be capped under a federal plan announced Thursday.

The U.S. Environmental Protection Agency's remedy comes a decade after its initial cap-and-monitor proposal at suburban St. Louis' West Lake Landfill was met with so much opposition that the agency went back to the drawing board. The partial excavation proposal was initially recommended by EPA in February.

The project is expected to take a little over four years and cost \$205 million, a price tag that will be shouldered by the landfill's owner and other parties deemed responsible for the contamination. A preliminary proposal announced in February was similar, but this one is \$30 million cheaper and will take a year less to complete.

The plan faces opposition from Republic Services, which owns West Lake Landfill and the Bridgeton Landfill, just a few hundred yards away and where the underground fire has smoldered since 2010. Republic Services has spent millions of dollars to ensure that the fire and the nuclear waste don't meet.

The nuclear waste, remnants from the Manhattan Project, was dumped there in the 1970s.

The company says partial excavation creates unnecessary risks and takes longer than its preferred remedy of capping and monitoring the site.

The EPA said the West Lake remedy addresses all of the radioactive material that could pose "unacceptable risks" to public health. The plan would dig at varying depths of 8 to 20 feet (2.5 to 6 meters), removing about 70 percent of the landfill's radioactive waste, which will be shipped to an out-of-state disposal site. The specific disposal site has not been determined.

A cover will be placed over the rest of the landfill's radioactive material.

Remediation at West Lake has proven a vexing problem. The EPA's 2008 proposal to cap the site and leave the radioactive material in place was met with strong opposition from environmentalists and neighboring residents.

The Missouri Coalition for the Environment and St. Louis County Executive Steve Stenger, a Democrat, were among those advocating for excavation of all of the nuclear material. The EPA said complete excavation would cost nearly \$700 million and take 15 years to complete.

Leaving all of the waste in place and capping it would have cost about \$75 million.

The approved remedy is something of a compromise. But activist Bridgeton resident Dawn Chapman said she and others who live near the landfill are "elated," even if it means that some of the waste won't be taken out.

"I would argue that 70 percent is pretty close to all of it," Chapman said. "We know we can't get 100 percent."

Chapman said her focus is now "getting those living closest to the landfill relocated."

Bridgeton Landfill will share the cost of the project, along with other "responsible parties" — the U.S. Department of Energy and Exelon Corp. of Chicago, whose subsidiary once owned uranium processor Cotter Corp.

Bridgeton Landfill spokesman Richard Callow said the company opposes the partial removal remedy "because it creates unacceptable risk with no proportional benefit, will greatly increase the time needed to remediate the site, and is contrary to EPA's own findings regarding the risks posed by the site."

Democratic U.S. Rep. William Lacy Clay called the plan "a huge victory for our long-suffering community."

Ed Smith of the Missouri Coalition for the Environment called the decision "a positive step" but said the coalition still prefers removal of all of the radioactive material and relocation of neighboring residents.

"As long as there is radioactive material at West Lake Landfill, every flood, tornado, fire, or earthquake presents a potential threat to our water, air, and health," Smith said.

The Manhattan Project was the World War II-era program that produced the first nuclear weapons, using uranium processed at Mallinckrodt Chemical Works in St. Louis. The EPA said 8,700 tons of leached barium sulfate from the program was mixed with contaminated soil and used to cover trash at the landfill 45 years ago, long before Republic Services became the owner.

The underground fire — technically smoldering because a fire can't burn beneath the ground — was first detected in 2010. The cause isn't known, but complaints from neighboring residents prompted a lawsuit by then-Attorney General Chris Koster in 2013. The lawsuit was settled in June when Republic Services and former owners of the landfill agreed to pay \$16 million.

Bloomberg BNA

https://www.bna.com/radioactive-missouri-landfill-n73014482838/

Radioactive Missouri Landfill Gets Thriftier, Quicker EPA Cleanup

By Sylvia Carignan

A Missouri landfill containing radioactive waste will be cleaned up cheaper and faster after the EPA's acting head opted for a thriftier plan than one his predecessor favored.

Former EPA Administrator Scott Pruitt originally chose a \$236 million plan to excavate some of the radioactive waste and cap other waste at the West Lake Landfill in Bridgeton, Mo. Acting Administrator Andrew Wheeler signed off on a \$205 million plan Sept. 27.

Wheeler's final, three-year plan includes some variance in the depth of excavation, ranging from eight to 20 feet. Pruitt's \$236 million plan proposed excavating some radioactive waste down to 16 feet and would have taken 5 years.

The plan reduces the amount of radioactive material that needs to be handled, Wheeler said at the agency's headquarters Sept. 27.

Wheeler told Bloomberg Environment that no big differences exist between his and Pruitt's Superfund decision-making processes.

"We're both following the president's initiatives here," he said.

Bridgeton Landfill LLC, Rock Road Industries Inc., and Cotter Corp., as well as the Energy Department, all took part in the site's investigation and were named potentially responsible parties in its cleanup. Waste at the site includes radium and thorium mixed with municipal solid waste. A smoldering underground fire could eventually affect the waste.

Two areas became contaminated with radiation in 1973 when soils mixed with uranium ore processing residues were used as daily cover in the landfilling operation, according to the EPA.

'Arbitrary and Capricious'

Richard Callow, a spokesman for Bridgeton Landfill, expressed disappointment that the final plan focused on excavation.

"EPA's decision today to excavate is arbitrary and capricious," Callow told Bloomberg Environment in a statement. The selected remedy "creates unacceptable risk with no proportional benefit."

Options for cleanup at the West Lake Landfill site ranged from a \$75 million plan that would excavate less material and leave radioactive waste on-site to a \$685 million proposal to remove all radioactive contamination.

The EPA had planned to finalize the cleanup decision by Sept. 30.

The agency added the West Lake Landfill to the National Priorities List in 1990. The list contains the most contaminated sites in the country.

Fox 2 St. Louis



https://fox2now.com/2018/09/27/epa-approves-west-lake-landfill-clean-up/ EPA to announce clean-up decision for Westlake Landfill By Staff

Our partners at the Post-Dispatch are reporting that the Environmental Protection Agency will officially sign off on a final plan Thursday morning to clean up radioactive waste at the Westlake Landfill in Bridgeton.

The Post says the plan differs from one discussed earlier this year, in that it will cost \$30 million dollars less, and finish up a year sooner.

The EPA says the plan includes digging between 8 and 20 feet down into target spots to remove waste over a four-and-a-half-year period, while still leaving 30 percent of the waste on site.

We're told that there will be briefings tomorrow for some stakeholders in the process in Washington, D.C., including members of Congress.

Just Moms STL has also scheduled an emergency community meeting for 6:30 pm at the John Calvin Presbyterian Church located at 12567 Natural Bridge Road in Bridgeton.

St. Louis Public radio

http://news.stlpublicradio.org/post/epa-approves-final-plan-dig-out-contaminated-waste-west-lake-landfill EPA approves final plan to dig out contaminated waste at West Lake Landfill By Eli Chen

The Environmental Protection Agency has decided how it plans to clean up the radioactive waste at the West Lake Landfill Superfund site.

The St. Louis Post-Dispatch reported late Wednesday that the federal agency has chosen a solution that will remove about 70 percent of the site's radioactivity, and the waste would be disposed at an off-site facility. The \$205 million plan is similar, though less expensive, to what officials proposed in February this year.

Area residents have long been concerned about the site's proximity to the Bridgeton Landfill, which contains an underground smoldering fire.

"We consider the removal of any waste a victory and step in the right direction. This has been a long, heartfelt battle. We commend this EPA Administration for stepping up and going the extra mile to ensure a safe and permanent solution," area activist Dawn Chapman said in an emailed statement. "We are a community worth saving."

Acting EPA Administrator Andrew Wheeler will sign the record of decision for the site on Thursday.

Originally, agency officials proposed that it would remove the contamination by digging out waste within 16 feet of the surface level that was measured in 2005. The Post-Dispatch reports that the EPA plans to remove between 8 and 20 feet, depending on the amount of waste that exists at a location.

Landfill owner Republic Services — which runs Bridgeton Landfill LLC — Exelon Corp., and the U.S. Department of Energy are responsible for the site and will have to pay for cleanup costs. Republic Services, in its comments to the EPA earlier this year, opposed what the agency proposed in February, saying that the solution would threaten worker health.

Area activists and environmentalists have long complained that the site is a threat to human health. The WWII-era radioactive waste under the West Lake Landfill sits about 600 feet from the underground smoldering fire at the adjacent Bridgeton Landfill. Missouri health officials recently acknowledged that past odors near the landfill could have exacerbated asthma and other respiratory conditions for residents.

Federal officials still have to address groundwater contamination, which is considered a separate part of the site and will receive its own record of decision. Activists are also still pushing for relocation of residents near the Superfund site.

KMOX

https://kmox.radio.com/articles/epa-announce-final-plans-west-lake-landfill-cleanup EPA to Announce Final Plans for West Lake Landfill Cleanup By Kevin Killeen

The U.S. Environmental Protection Agency is scheduled to announce Thursday its final plans for cleaning up the radioactive West Lake Landfill in Bridgeton.

The site, adjacent to an underground fire at a garbage landfill, contains nuclear material from the Manhattan Project, which created the atomic bombs dropped on Japan at the end of World War II.

Amid fears that the garbage fire could spread to the nuclear waste, the EPA has been studying what to do about the site for years. At one point, the EPA considered building a wall to isolate the fire, but that was abandoned because surveys found the nuclear material was strewn across too wide an area.

Earlier this year, the EPA announced tentative plans to do a "partial cleanup"--to remove about 70 percent of the nuclear waste.

During the public comment period that followed many residents urged the EPA to dig deeper and remove as much of the radioactive debris as possible. They also called for removal of the waste out of the region, to a federally-approved nuclear waste site.

Now, the waiting will end. The EPA will unveil how--and how much--of the stuff it will dig up, and where to put it.

There's a possibility the EPA could announce plans to keep the waste on the site, in some type of storage container similar to the one used at Weldon Springs, Missouri.

The EPA is holding a news conference in Washington, D.C., Thursday morning to make the announcement. Members of the Missouri Congressional delegation are expected to attend.

James Hewitt Environmental Protection Agency Press Secretary (202) 578-6141

West Lake Landfill Superfund ROD Coverage 9.27.2018

[HYPERLINK \I "_The_St._Louis"]

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[HYPERLINK \I "_The_Washington_Post"]

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[HYPERLINK \I "_The_Associated_Press"]

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[HYPERLINK \I "_Bloomberg_BNA"]

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[HYPERLINK \I " Fox 2 St."]

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feet down into target spots to remove waste over a four-and-a-half-year period, while still leaving 30 percent of the waste on site.

[HYPERLINK \I "_St._Louis_Public"]

The Environmental Protection Agency has decided how it plans to clean up the radioactive waste at the West Lake Landfill Superfund site. The St. Louis Post-Dispatch reported late Wednesday that the federal agency has chosen a solution that will remove about 70 percent of the site's radioactivity, and the waste would be disposed at an off-site facility. The \$205 million plan is similar, though less expensive, to what officials proposed in February this year. Area residents have long been concerned about the site's proximity to the Bridgeton Landfill, which contains an underground smoldering fire.

[HYPERLINK \I " KMOX"]

The U.S. Environmental Protection Agency is scheduled to announce Thursday its final plans for cleaning up the radioactive West Lake Landfill in Bridgeton. The site, adjacent to an underground fire at a garbage landfill, contains nuclear material from the Manhattan Project, which created the atomic bombs dropped on Japan at the end of World War II. Amid fears that the garbage fire could spread to the nuclear waste, the EPA has been studying what to do about the site for years. At one point, the EPA considered building a wall to isolate the fire, but that was abandoned because surveys found the nuclear material was strewn across too wide an area.

The St. Louis Dispatch

[HYPERLINK "https://www.stltoday.com/business/local/epa-reaches-cleanup-decision-for-radioactive-west-lake-landfill-superfund/article_70796e6f-d975-5122-8670-16a67154b442.html"] EPA reaches cleanup decision for radioactive West Lake Landfill Superfund site By Bryce Gray



After years of bureaucratic inaction and escalating frustration and concern from the surrounding community, the Environmental Protection Agency has finally settled on a strategy to clean up the radioactive waste at the West Lake Landfill Superfund site in Bridgeton.

Compared with a proposal from earlier this year, the selected remedy is about \$30 million cheaper and will be completed about one year faster.

The agency said late Wednesday that it would slightly modify its earlier proposal to partly remove the site's contamination, employing "more flexibility" by digging to varying depths to target spots where radioactivity is concentrated. The strategy is outlined in a record of decision, set to be signed Thursday morning in Washington by the agency's acting administrator, Andrew Wheeler.

The announcement caps years of anticipation and fierce debate. Concerned area residents have strongly called for full excavation of the site and remote disposal of its contents — the most thorough, and expensive, cleanup possible — while some groups responsible for covering remediation costs sought to have the site capped, which was the least expensive option weighed by the EPA.

The chosen plan falls between those two options, and closely resembles the proposal put forward in February. That strategy, announced by former EPA Administrator Scott Pruitt, was dubbed "Excavation Plus," and entailed partial removal of the site's radioactive contaminants, followed by installation of a specially engineered cover as a form of long-term protection.

That proposal called for excavation to a depth of 16 feet across the site, which agency officials said would remove the bulk of the site's radioactivity. Now, however, excavation depth will vary between 8 feet and 20 feet below the landfill's surface.

"We're going to have more flexibility as we excavate," Wheeler said Wednesday in a phone interview with the Post-Dispatch. "In some areas, it will be as deep as 20 feet or perhaps as shallow as 8 feet. We're going to decrease the amount of nonradioactive waste that needs to be removed from the site and focus our efforts on the radioactive waste."

Agency officials said about 70 percent of the radioactivity at the site would be removed. They said radioactivity that remains in the unlined landfill will be at a depth where it is not expected to pose public health risks, and that groundwater will be monitored going forward.

The estimated \$205 million cost will be shouldered by a handful of public and private entities deemed "potentially responsible parties" that are liable for the site. The EPA said that allocation of those costs is decided among those parties, and "may not necessarily be evenly divided."

Those entities include Republic Services — the company that operates the landfill through a subsidiary — the U.S. Department of Energy and Chicago-based Exelon Corp., whose subsidiary, ComEd, formerly owned the uranium processor, Cotter Corp.

The cleanup process is estimated to take about four and a half years to complete. About 18 months will be spent in a "design phase," while excavation and landfill cover construction is expected to take three years. The agency said it does not have a precise time frame but aims to begin the design phase "as soon as possible" and that it "will make every effort to get an enforceable agreement in place to fund and perform the design."

The contamination removed from the site will be sent to an out-of-state site for disposal. EPA officials said that licensed facilities in Utah, Idaho, Michigan and Colorado were under consideration.

Wheeler emphasized that on-site and off-site safety would be priorities throughout the cleanup process. Considerations ranged from controlling dust to repelling birds from the open landfill.

"The most important thing are the concerns of people who live around the site," said Wheeler.

Radioactive waste stemming from the Manhattan Project in World War II was illegally dumped at the landfill in the 1970s. Although the site was added to the EPA Superfund program's National Priorities List in 1990, it has languished for decades without the start of any remediation work.

Public scrutiny and concern about the site has exploded since 2010, when an underground fire — called a "subsurface smoldering event" by officials — was detected in the adjacent Bridgeton Landfill. The fire has come to within several hundred yards of known radioactive contamination at West Lake, and has been slowed by an engineered cooling system that runs pipes into the landfill.

Though the EPA has never begun work to remediate West Lake, the agency reached a record of decision for the site once before, in 2008. That decision called for leaving contaminants in place and installing a cap over the site, but was re-evaluated and ultimately rescinded amid public backlash.

Wheeler said that, this time, the measure was "set in stone."

"We want to move forward in getting this cleaned up," he said.

"We spent a lot of time studying this site over the years. ... We spent quite a bit of time this year looking at the proposal and the issues raised," Wheeler added. "What we've come up with, we believe, is a better approach."

The Washington Post

[HYPERLINK "https://www.washingtonpost.com/energy-environment/2018/09/27/epa-orders-extensive-cleanup-radioactive-waste-site-near-st-louis/"]
EPA Orders Extensive Cleanup of Radioactive Waste Site Near St. Louis
By Brady Dennis

The Environmental Protection Agency on Thursday ordered an aggressive cleanup of a long-controversial landfill contaminated with radioactive waste near St. Louis, delighting community activists who have fought for such an outcome but angering companies who argue that the agency's own science called for a more modest cleanup.

"This action reflects President Trump's commitment to return EPA to its core responsibility — clean air, clean water and clean land," EPA Acting Administrator Andrew Wheeler said at a morning news conference of the West Lake Landfill in Bridgeton, Mo., which has lingered on the agency's Superfund list since 1990. "We believe this decision strikes the right balance, while emphasizing the health and safety of the community."

Wheeler's decision is the latest signal that he intends to largely follow the policy course set out by his predecessor, Scott Pruitt, who resigned from EPA in July amid a flurry of federal ethics investigations. Pruitt was eager during his tenure to balance his industry-friendly regulatory rollbacks with a commitment to accelerating cleanups at the nation's Superfund sites, saying such work was more central to the agency's mission than combating climate change and helping shift the nation to cleaner sources of energy.

Wheeler, who has continued to dismantle Obama-era policies, said Thursday that his decision on West Lake "reflects our larger commitment to the nation to expedite the remediation of superfund sites across the country." The EPA's order, which caps decades of bureaucratic delay, intense debates and public protests, is expected to take fewer than five years and cost those responsible for the site an estimated \$205 million.

The West Lake Landfill contains thousands of tons of radioactive material from the World War II-era Manhattan Project that was dumped at the site in the 1970s, where it has languished ever since amid other waste. The latest plan calls for excavating 70 percent of the radioactive waste from the site — a far cry from a 2008 solution proposed by the George W. Bush administration to cover and monitor the waste at West Lake.

Thursday's final decision triggered a wave of texts and tearful phone calls among a collection of community members who had fretting about the radioactive material near their neighborhoods and lobbied for the government to finally remove it.

"This administration listened to us. I don't know how else to put it," said Dawn Chapman, a founder of Just Moms STL, an activist group that has pushed for an extensive excavation of the site and possible relocation of families near the landfill. "For the first time, we're going to have our community put back together ... I'm angry it took so long, but I'm relieved.

Thursday's decision hardly brought such relief to Republic Services and Exelon, whose subsidiaries are responsible for the cleanup at West Lake, along with the Energy Department. In a statement, the subsidiary of Republic that oversees the site called the order "arbitrary and capricious."

"[We are] opposed to the selected excavation because it creates unacceptable risk with no proportional benefit, will greatly increase the time needed to remediate the site, and is contrary to EPA's own findings regarding the risks posed by the site," the firm said in a statement. It added that the 2008 recommendation to "cap and monitor" the waste wouldn't have risked exposing workers and community members to waste as it is excavated and moved elsewhere.

The Trump administration rejected those arguments. Pruitt's order from February would have forced the companies to undertake a \$236 million cleanup that would dig down roughly 16 feet into the landfill to remove as much radioactive material as possible.

By contrast, Wheeler's final plan will allow workers to dig between 8 and 20 feet below the surface of the landfill, in an effort to focus on areas where radioactive waste is most concentrated. Wheeler said the cleanup is expected to happen a year faster and cost \$30 million less than Pruitt's plan. The agency estimated that about 75,000 cubic tons of contaminated material would be taken off-site by rail and truck.

Before he resigned this summer amid a flurry of federal ethics investigations, Pruitt had promised to speed up Superfund cleanups around the country, and he made a public show of butting heads with corporate interests — something he otherwise rarely did during his time at EPA.

Not long after Hurricane Harvey battered Houston last summer, Pruitt ordered two corporations responsible for a toxic waste site that flooded near the San Jacinto River in Texas to spend \$115 million

to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Still, aside from creating a list of nearly two dozen target sites that needed "immediate and intense" attention, as well as forming a task force to recommend ways to expedite cleanups and "reduce the burden" on companies involved, Pruitt never explained precisely how he intended to deal with the hundreds of other toxic-waste sites that remain around the country, waiting for attention.

The Associated Press

[HYPERLINK "https://www.usnews.com/news/best-states/missouri/articles/2018-09-27/epa-announces-cleanup-plan-for-troubled-missouri-landfill"] EPA Announces Cleanup Plan for Troubled Missouri Landfill By Jim Salter

Some of the illegally dumped nuclear waste buried near a long-smoldering underground fire at a Missouri landfill will be dug up and the rest will be capped under a federal plan announced Thursday.

The U.S. Environmental Protection Agency's remedy comes a decade after its initial cap-and-monitor proposal at suburban St. Louis' West Lake Landfill was met with so much opposition that the agency went back to the drawing board. The partial excavation proposal was initially recommended by EPA in February.

The project is expected to take a little over four years and cost \$205 million, a price tag that will be shouldered by the landfill's owner and other parties deemed responsible for the contamination. A preliminary proposal announced in February was similar, but this one is \$30 million cheaper and will take a year less to complete.

The plan faces opposition from Republic Services, which owns West Lake Landfill and the Bridgeton Landfill, just a few hundred yards away and where the underground fire has smoldered since 2010. Republic Services has spent millions of dollars to ensure that the fire and the nuclear waste don't meet.

The nuclear waste, remnants from the Manhattan Project, was dumped there in the 1970s.

The company says partial excavation creates unnecessary risks and takes longer than its preferred remedy of capping and monitoring the site.

The EPA said the West Lake remedy addresses all of the radioactive material that could pose "unacceptable risks" to public health. The plan would dig at varying depths of 8 to 20 feet (2.5 to 6 meters), removing about 70 percent of the landfill's radioactive waste, which will be shipped to an out-of-state disposal site. The specific disposal site has not been determined.

A cover will be placed over the rest of the landfill's radioactive material.

Remediation at West Lake has proven a vexing problem. The EPA's 2008 proposal to cap the site and leave the radioactive material in place was met with strong opposition from environmentalists and neighboring residents.

The Missouri Coalition for the Environment and St. Louis County Executive Steve Stenger, a Democrat, were among those advocating for excavation of all of the nuclear material. The EPA said complete excavation would cost nearly \$700 million and take 15 years to complete.

Leaving all of the waste in place and capping it would have cost about \$75 million.

The approved remedy is something of a compromise. But activist Bridgeton resident Dawn Chapman said she and others who live near the landfill are "elated," even if it means that some of the waste won't be taken out.

"I would argue that 70 percent is pretty close to all of it," Chapman said. "We know we can't get 100 percent."

Chapman said her focus is now "getting those living closest to the landfill relocated."

Bridgeton Landfill will share the cost of the project, along with other "responsible parties" — the U.S. Department of Energy and Exelon Corp. of Chicago, whose subsidiary once owned uranium processor Cotter Corp.

Bridgeton Landfill spokesman Richard Callow said the company opposes the partial removal remedy "because it creates unacceptable risk with no proportional benefit, will greatly increase the time needed to remediate the site, and is contrary to EPA's own findings regarding the risks posed by the site."

Democratic U.S. Rep. William Lacy Clay called the plan "a huge victory for our long-suffering community."

Ed Smith of the Missouri Coalition for the Environment called the decision "a positive step" but said the coalition still prefers removal of all of the radioactive material and relocation of neighboring residents.

"As long as there is radioactive material at West Lake Landfill, every flood, tornado, fire, or earthquake presents a potential threat to our water, air, and health," Smith said.

The Manhattan Project was the World War II-era program that produced the first nuclear weapons, using uranium processed at Mallinckrodt Chemical Works in St. Louis. The EPA said 8,700 tons of leached barium sulfate from the program was mixed with contaminated soil and used to cover trash at the landfill 45 years ago, long before Republic Services became the owner.

The underground fire — technically smoldering because a fire can't burn beneath the ground — was first detected in 2010. The cause isn't known, but complaints from neighboring residents prompted a lawsuit by then-Attorney General Chris Koster in 2013. The lawsuit was settled in June when Republic Services and former owners of the landfill agreed to pay \$16 million.

Bloomberg BNA

[HYPERLINK "https://www.bna.com/radioactive-missouri-landfill-n73014482838/"] Radioactive Missouri Landfill Gets Thriftier, Quicker EPA Cleanup By Sylvia Carignan

A Missouri landfill containing radioactive waste will be cleaned up cheaper and faster after the EPA's acting head opted for a thriftier plan than one his predecessor favored.

Former EPA Administrator Scott Pruitt originally chose a \$236 million plan to excavate some of the radioactive waste and cap other waste at the West Lake Landfill in Bridgeton, Mo. Acting Administrator Andrew Wheeler signed off on a \$205 million plan Sept. 27.

Wheeler's final, three-year plan includes some variance in the depth of excavation, ranging from eight to 20 feet. Pruitt's \$236 million plan proposed excavating some radioactive waste down to 16 feet and would have taken 5 years.

The plan reduces the amount of radioactive material that needs to be handled, Wheeler said at the agency's headquarters Sept. 27.

Wheeler told Bloomberg Environment that no big differences exist between his and Pruitt's Superfund decision-making processes.

"We're both following the president's initiatives here," he said.

Bridgeton Landfill LLC, Rock Road Industries Inc., and Cotter Corp., as well as the Energy Department, all took part in the site's investigation and were named potentially responsible parties in its cleanup. Waste at the site includes radium and thorium mixed with municipal solid waste. A smoldering underground fire could eventually affect the waste.

Two areas became contaminated with radiation in 1973 when soils mixed with uranium ore processing residues were used as daily cover in the landfilling operation, according to the EPA.

'Arbitrary and Capricious'

Richard Callow, a spokesman for Bridgeton Landfill, expressed disappointment that the final plan focused on excavation.

"EPA's decision today to excavate is arbitrary and capricious," Callow told Bloomberg Environment in a statement. The selected remedy "creates unacceptable risk with no proportional benefit."

Options for cleanup at the West Lake Landfill site ranged from a \$75 million plan that would excavate less material and leave radioactive waste on-site to a \$685 million proposal to remove all radioactive contamination.

The EPA had planned to finalize the cleanup decision by Sept. 30.

The agency added the West Lake Landfill to the National Priorities List in 1990. The list contains the most contaminated sites in the country.

Fox 2 St. Louis



[HYPERLINK "https://fox2now.com/2018/09/27/epa-approves-west-lake-landfill-clean-up/"] EPA to announce clean-up decision for Westlake Landfill By Staff

Our partners at the Post-Dispatch are reporting that the Environmental Protection Agency will officially sign off on a final plan Thursday morning to clean up radioactive waste at the Westlake Landfill in Bridgeton.

The Post says the plan differs from one discussed earlier this year, in that it will cost \$30 million dollars less, and finish up a year sooner.

The EPA says the plan includes digging between 8 and 20 feet down into target spots to remove waste over a four-and-a-half-year period, while still leaving 30 percent of the waste on site.

We're told that there will be briefings tomorrow for some stakeholders in the process in Washington, D.C., including members of Congress.

Just Moms STL has also scheduled an emergency community meeting for 6:30 pm at the John Calvin Presbyterian Church located at 12567 Natural Bridge Road in Bridgeton.

St. Louis Public radio

[HYPERLINK "http://news.stlpublicradio.org/post/epa-approves-final-plan-dig-out-contaminated-wastewest-lake-landfill"]

EPA approves final plan to dig out contaminated waste at West Lake Landfill By Eli Chen

The Environmental Protection Agency has decided how it plans to clean up the radioactive waste at the West Lake Landfill Superfund site.

The St. Louis Post-Dispatch reported late Wednesday that the federal agency has chosen a solution that will remove about 70 percent of the site's radioactivity, and the waste would be disposed at an off-site facility. The \$205 million plan is similar, though less expensive, to what officials proposed in February this year.

Area residents have long been concerned about the site's proximity to the Bridgeton Landfill, which contains an underground smoldering fire.

"We consider the removal of any waste a victory and step in the right direction. This has been a long, heartfelt battle. We commend this EPA Administration for stepping up and going the extra mile to ensure a safe and permanent solution," area activist Dawn Chapman said in an emailed statement. "We are a community worth saving."

Acting EPA Administrator Andrew Wheeler will sign the record of decision for the site on Thursday.

Originally, agency officials proposed that it would remove the contamination by digging out waste within 16 feet of the surface level that was measured in 2005. The Post-Dispatch reports that the EPA plans to remove between 8 and 20 feet, depending on the amount of waste that exists at a location.

Landfill owner Republic Services — which runs Bridgeton Landfill LLC — Exelon Corp., and the U.S. Department of Energy are responsible for the site and will have to pay for cleanup costs. Republic Services, in its comments to the EPA earlier this year, opposed what the agency proposed in February, saying that the solution would threaten worker health.

Area activists and environmentalists have long complained that the site is a threat to human health. The WWII-era radioactive waste under the West Lake Landfill sits about 600 feet from the underground smoldering fire at the adjacent Bridgeton Landfill. Missouri health officials recently acknowledged that past odors near the landfill could have exacerbated asthma and other respiratory conditions for residents.

Federal officials still have to address groundwater contamination, which is considered a separate part of the site and will receive its own record of decision. Activists are also still pushing for relocation of residents near the Superfund site.

KMOX

[HYPERLINK "https://kmox.radio.com/articles/epa-announce-final-plans-west-lake-landfill-cleanup"] EPA to Announce Final Plans for West Lake Landfill Cleanup By Kevin Killeen

The U.S. Environmental Protection Agency is scheduled to announce Thursday its final plans for cleaning up the radioactive West Lake Landfill in Bridgeton.

The site, adjacent to an underground fire at a garbage landfill, contains nuclear material from the Manhattan Project, which created the atomic bombs dropped on Japan at the end of World War II.

Amid fears that the garbage fire could spread to the nuclear waste, the EPA has been studying what to do about the site for years. At one point, the EPA considered building a wall to isolate the fire, but that was abandoned because surveys found the nuclear material was strewn across too wide an area.

Earlier this year, the EPA announced tentative plans to do a "partial cleanup"--to remove about 70 percent of the nuclear waste.

During the public comment period that followed many residents urged the EPA to dig deeper and remove as much of the radioactive debris as possible. They also called for removal of the waste out of the region, to a federally-approved nuclear waste site.

Now, the waiting will end. The EPA will unveil how--and how much--of the stuff it will dig up, and where to put it.

There's a possibility the EPA could announce plans to keep the waste on the site, in some type of storage container similar to the one used at Weldon Springs, Missouri.

The EPA is holding a news conference in Washington, D.C., Thursday morning to make the announcement. Members of the Missouri Congressional delegation are expected to attend.

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 11/15/2017 4:36:51 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: FW: AP: Trump administration seeks to delay findings on pesticides, 11/15/17

From: Sorokin, Nicholas

Sent: Wednesday, November 15, 2017 11:32 AM

To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>

Subject: AP: Trump administration seeks to delay findings on pesticides, 11/15/17

Associated Press

https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides

Trump administration seeks to delay findings on pesticides

By Michael Biesecker, 11/14/17

WASHINGTON (AP) — President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species.

The request filed before a federal judge last week comes after Dow Chemical Co. and two other pesticide makers asked the government to set aside research by federal scientists that shows organophosphates are harmful to about 1,800 critically threatened or endangered species.

Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year. The Environmental Protection Agency, which is also involved in the case, is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a \$1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

It is the latest example of the Trump administration seeking to block or delay environmental rules at the behest of the industry.

EPA Administrator Scott Pruitt in March reversed an Obama-era effort to bar spraying chlorpyrifos on fruits and vegetables after peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains.

Government scientists also compiled an official record running more than 10,000 pages indicating the three organophosphates pose a risk to nearly every endangered species they studied. Before the change in administration, federal regulators had been expected to issue new limits on how and where the three pesticides can be used.

Organophosphorus gas was originally developed as a chemical weapon before World War II. Dow, based in Midland, Michigan, has been selling chlorpyrifos for spraying on citrus fruits, apples, cherries and other crops since the 1960s. It is

among the most widely used agricultural pesticides in the United States, with Dow selling about 5 million pounds (2.3 million kilograms) domestically each year.

A coalition of environmental groups has fought in court for years to spur the federal government to more closely examine the risk posed to humans and endangered species by pesticides, especially organophosphates.

"It's appallingly clear that the pesticide industry is now essentially running Trump's EPA," said Lori Ann Burd, environmental health director at the Center for Biological Diversity. "Rather than following the science and the law, the agency is turning its back on endangered species across the country."

Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 11/3/2017 3:08:45 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Beck, Nancy [Beck.Nancy@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]

Subject: FW: American Chemistry Council meeting

FYI.

From: Wilcox, Jahan

Sent: Friday, November 3, 2017 11:03 AM

To: Pace, Julie <JPace@ap.org>

Subject: FW: American Chemistry Council meeting

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, November 3, 2017 10:55 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Cc: Press < Press@epa.gov >

Subject: American Chemistry Council meeting

Liz, Jahan,

Will there be any press availability to hear Administrator Pruitt's remarks on Nov. 9 to the ACC board on Nov. 9? If not, why not?

On-the-record ... "Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov." EPA spokesman, Jahan Wilcox

Also, can you provide context as to why such a large EPA contingent (8 people in addition to Pruitt) is necessary expenditure of taxpayer funds?

On-the-record ... "We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event." EPA spokesman, Jahan Wilcox

I'm writing on deadline for today.

Thanks,

Michael



ASSOCIATED PRESS

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M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 11/2/2017 5:52:08 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science

Committees

I did

From: Abboud, Michael

Sent: Thursday, November 2, 2017 1:51 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

No he said it wouldn't be ready till next week most likely. Should we just tell Biesecker we don't have a finalized list yet?

From: Bowman, Liz

Sent: Thursday, November 2, 2017 1:47 PM **To:** Abboud, Michael abboud.michael@epa.gov

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

Oh I see it. Well, the list isn't final – it's not like we have it and refuse to share it – we are proud of the people being appointed, the list just isn't final yet. I don't even have the final from Richard. Has he sent it to you?

From: Abboud, Michael

Sent: Thursday, November 2, 2017 1:42 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

Was definitely in the press box.

From: Bowman, Liz

Sent: Thursday, November 2, 2017 1:41 PM **To:** Abboud, Michael abboud.michael@epa.gov

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

This didn't even come into my inbox (or I don't see it), nor do I see it in the press box?

From: Abboud, Michael

Sent: Thursday, November 2, 2017 1:40 PM **To:** Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>

Subject: FW: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

This is what I was talking about.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, November 2, 2017 12:30 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Wilcox, Jahan < wilcox.jahan@epa.gov >; Press < Press@epa.gov >

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

Just to be clear here, EPA's press office is refusing to respond to a request for an updated list of who Administrator Pruitt is appointing to the boards and who is no longer on them.

From: Biesecker, Michael

Sent: Wednesday, November 01, 2017 1:40 PM **To:** 'Bowman, Liz' < <u>Bowman.Liz@epa.gov</u>>

Cc: Wilcox, Jahan < wilcox.jahan@epa.gov >; Press < Press@epa.gov >

Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

Liz,

Could EPA provide a current list of the chairs for the Science Advisory Board, Clean Air Scientific Advisory Committee, and the Board of Scientific Counselors, as well as any new members appointed by Administrator Pruitt?

The lists on the EPA webpage appear not to have been updated to reflect recent changes.

Thanks,

Michael

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, November 01, 2017 7:47 AM
To: Biesecker, Michael < MBiesecker@ap.org>

Cc: Wilcox, Jahan < wilcox.jahan@epa.gov>; Press < Press@epa.gov>

Subject: Re: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA

Science Committees

Moving forward, when membership terms expire and the agency goes through the normal course of opening up a competitive nomination process to fill vacancies on the boards, members in direct receipt of an EPA grant will have an option to either serve on board or receive the grant.

Sent from my iPhone

On Oct 31, 2017, at 5:39 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Liz, Jahan,

Can you clarify whether the administrator is replacing all the science advisory board members of the various boards at once, or as their current terms expire?

Thanks,

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office
Sent: Tuesday, October 31, 2017 2:00 PM

To:

Subject: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees



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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 10/13/2017 1:26:51 PM

To: Hewitt, James [hewitt.james@epa.gov]

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: this Biesecker lead seems misleading

Yes, Patrick Traylor has a statement on this...but I would let this one go.

Sent from my iPhone

On Oct 13, 2017, at 9:14 AM, Hewitt, James hewitt.james@epa.gov> wrote:

Deliberative Process / Ex. 5

http://www.denverpost.com/2017/10/12/epa-orders-cleanup-texas-toxic-site-hurricane-harvey/

"The Trump administration has handed a rare victory to environmentalists, ordering two big corporations this week to pay \$115 million to clean up a Texas toxic waste site that may have spread dangerous levels of pollution during flooding from Hurricane Harvey.

Environmental Protection Agency Administrator Scott Pruitt signed a directive Wednesday requiring International Paper and McGinnis Industrial Maintenance Corp., a subsidiary of Waste Management Inc., to excavate 212,000 cubic yards of contaminated sediments from the San Jacinto River Waste Pits."

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 10/13/2017 1:15:31 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: some stories for you

EPA Morning News Highlights 10.13.17

The Associated Press: EPA says more testing needed at West Virginia site

Federal environmental regulators say they have again found signs of potentially troubling levels of toxic contamination at a former mining equipment operation in West Virginia. The U.S. Environmental Protection Agency found high levels of polychlorinated biphenyls, or PCBs, at the former Shaffer Equipment Company site in the Fayette County community of Minden, media outlets reported. Regulators say more extensive testing is needed before government investigators can pinpoint the source and devise a response plan.

The Associated Press: EPA orders cleanup at Texas toxic site flooded by Hurricane Harvey

The Trump administration has handed a rare victory to environmentalists, ordering two big corporations this week to pay \$115 million to clean up a Texas toxic waste site that may have spread dangerous levels of pollution during flooding from Hurricane Harvey. Environmental Protection Agency Administrator Scott Pruitt signed a directive Wednesday requiring International Paper and McGinnis Industrial Maintenance Corp., a subsidiary of Waste Management Inc., to excavate 212,000 cubic yards of contaminated sediments from the San Jacinto River Waste Pits. Pruitt visited the Superfund site outside Houston last month following historic rains and flooding from the storm, meeting with local environmental activists who had campaigned for years for approval of a cleanup plan.

The Times Ledger: EPA targets radioactive site in Ridgewood

Radioactive waste is to be removed from a contaminated section of Ridgewood which was once the location of a chemical plant that harvested raw materials from sand and dumped the refuse into the sewer. The state Department of Environmental Conservation is backing the \$39.9 million effort by the EPA to clean up the site in Ridgewood, which was placed on the National Priorities List in 2013 and is part of the agency's Superfund program. The parcel of land — which became contaminated while under use by the Wolff-Alport Chemical Company from 1920 to 1954 — will see all business tenants relocated, buildings demolished, soil removed and sewers replaced, according to the EPA. The three-quarter-acre patch of contaminated land is located at 1125 to 1139 Irving Ave. and 1514 Cooper Ave. It used to be home to Jarabacoa Deli Grocery, as well as office space, residential apartments, several auto repair shops and warehousing space.

National Afternoon News Highlights 10.13.17

TRUMP TWEETS

The Associated Press

https://www.seattletimes.com/nation-world/epa-says-more-testing-needed-at-west-virginia-site/

EPA says more testing needed at West Virginia site

By Staff, 10/13/17

Federal environmental regulators say they have again found signs of potentially troubling levels of toxic contamination at a former mining equipment operation in West Virginia.

The U.S. Environmental Protection Agency found high levels of polychlorinated biphenyls, or PCBs, at the former Shaffer Equipment Company site in the Fayette County community of Minden, media outlets reported.

Regulators say more extensive testing is needed before government investigators can pinpoint the source and devise a response plan.

The community has been the subject of repeated and controversial EPA cleanups that many residents worry haven't removed the potential dangers from their town.

PCBs have been found to cause a variety of adverse health effects, including cancer and problems related to the immune, reproductive and nervous systems.

More tests will be done at the Shaffer site, EPA officials said Thursday. They're also gathering more information and awaiting sample analysis from a nearby landfill that residents have pointed to as another potential source of harmful pollution in the area.

No firm timetable was provided for EPA's continued work.

We're going to be there for a while, honestly," EPA acting regional administrator Cecil Rodrigues told the Charleston Gazette-Mail in an interview.

The EPA said Thursday that its testing earlier this year near the Shaffer site had found levels of PCBs in the soils at two residences of 1.2 parts per million and 1.3 parts per million.

Those concentrations were slightly above the 1.0-parts-per-million level that EPA coordinator Melissa Linden described as kicking in the need for further agency investigation.

Agency officials said their next step is to conduct additional sampling "to determine the extent of the contamination" and also to "determine if there is another contributor because the highest result is approximately one-half mile from the Shaffer Equipment site."

The EPA said related testing done in the Fayetteville area, where residents were concerned a chemical tanker truck had been buried, found "metal anomalies" that could have been such a tanker, but that follow-up sampling of soil found only 0.150 parts per million of PCBs, and that those PCBs were of a different type than those at Shaffer Equipment.

"(The) EPA will have no further action at this location," the agency said.

Also, the EPA tested around an unnamed tributary of Arbuckle Creek, near a former city landfill. It said it found "low concentrations" of PCBs, pesticides and the toxic chemical dioxin.

Additional information on that dump site is being collected, and the EPA is awaiting the results of additional tests "before making any determinations," the agency said.

The EPA said it will hold two open house meetings on Oct. 27 and Oct. 28 in Glen Jean to discuss the issue.

From 1970 to 1984, the Shaffer Equipment Co. built electrical substations for the local coal mining industry, the EPA said.

Over the years since 1994, the EPA conducted multiple cleanups at the Shaffer site.

The Associated Press

http://www.denverpost.com/2017/10/12/epa-orders-cleanup-texas-toxic-site-hurricane-harvey//

EPA orders cleanup at Texas toxic site flooded by Hurricane Harvey By Michael Biesecker, 10/13/17

The Trump administration has handed a rare victory to environmentalists, ordering two big corporations this week to pay \$115 million to clean up a Texas toxic waste site that may have spread dangerous levels of pollution during flooding from Hurricane Harvey.

Environmental Protection Agency Administrator Scott Pruitt signed a directive Wednesday requiring International Paper and McGinnis Industrial Maintenance Corp., a subsidiary of Waste Management Inc., to excavate 212,000 cubic yards of contaminated sediments from the San Jacinto River Waste Pits.

Pruitt visited the Superfund site outside Houston last month following historic rains and flooding from the storm, meeting with local environmental activists who had campaigned for years for approval of a cleanup plan.

Pruitt has said cleaning Superfund sites is among his top priorities, even as he has worked to delay and rollback a wide array of environmental regulations that would reduce air and water pollution. Often Pruitt has done so directly at the behest of industries that petitioned him for relief from what they characterize as overly burdensome and costly regulations.

At the waste pits, both companies opposed the expensive cleanup, arguing that a fabric and stone cap covering the 16-acre site was sufficient. The former site of a demolished paper mill that operated in the 1960s, the island in the middle of the San Jacinto River is heavily contaminated with dioxins — chemicals linked to cancer and birth defects.

"International Paper respectfully disagrees with the decision by the EPA," said Tom Ryan, a spokesman for International Paper. He said removing the existing protective cap "could result in significant damage to public health and the local environment."

Pruitt's decision triggers the beginning of what could be months of negotiations between EPA and the two companies to reach a final settlement. If the companies refuse to comply with Pruitt's order, EPA could sue in federal court to require compliance.

The Associated Press reported Sept. 2 about the risks from flooding at Houston-area Superfund sites, highlighting six prior occasions where the cap at the waste pits required significant repairs. Journalists surveyed seven flooded Superfund sites in and around Houston by boat, vehicle and on foot, including San Jacinto.

The EPA said at the time it was too unsafe for its personnel to visit the sites, and accused the AP in a statement of engaging in "yellow journalism" and creating panic. Nearly one month later, however, the agency confirmed that contaminated sediments at San Jacinto had, in fact, been uncovered by the storm.

A sample collected by an agency dive team from an exposed area at the site showed dioxin levels at 70,000 nanograms per kilogram — more than 2,300 times the level set to trigger a cleanup. Dioxins do not dissolve easily in water but can be carried away with any contaminated sediments and deposited over a wider area.

The EPA says additional testing will now be needed to determine whether the contamination spread and to ensure that the exposed waste material is isolated. Those results should be known in about two weeks, the agency said Thursday.

Meanwhile, workers have temporarily covered the exposed sediments with stone until the final cleanup begins.

The San Jacinto River empties into Galveston Bay, where state health officials have long advised against regularly consuming fish and shellfish due to contamination from dioxins and PCBs. The cleanup plan EPA approved this week requires the construction of a temporary dam to hold back the river while workers use heavy machinery to dig up and remove enough contaminated soil and sentiment to fill about 16,000 dump truck loads.

One of the local environmental advocates who met with Pruitt during his visit last month, Jackie Young, said people living along the river still don't know whether the floodwaters carried toxins to their yards and homes.

"This is a monumental victory and testament to what an engaged community can accomplish," said Young, executive director of Texas Health and Environment Alliance. "We may never know the extent of damage from Hurricane Harvey or numerous other storms, but at least the EPA is putting their best foot forward and moving in the only direction that upholds their mission."

The Times Ledger

http://www.denverpost.com/2017/10/12/epa-orders-cleanup-texas-toxic-site-hurricane-harvey//

EPA targets radioactive site in RidgewoodBy Mark Hallum, 10/13/17

Radioactive waste is to be removed from a contaminated section of Ridgewood which was once the location of a chemical plant that harvested raw materials from sand and dumped the refuse into the sewer.

The state Department of Environmental Conservation is backing the \$39.9 million effort by the EPA to clean up the site in Ridgewood, which was placed on the National Priorities List in 2013 and is part of the agency's Superfund program.

The parcel of land — which became contaminated while under use by the Wolff-Alport Chemical Company from 1920 to 1954 — will see all business tenants relocated, buildings demolished, soil removed and sewers replaced, according to the EPA. The three-quarter-acre patch of contaminated land is located at 1125 to 1139 Irving Ave. and 1514 Cooper Ave. It used to be home to Jarabacoa Deli Grocery, as well as office space, residential apartments, several auto repair shops and warehousing space.

"The EPA has used the Superfund program to successfully address shorter-term risks posed by the radiation at this site, and this proposed plan moves us closer to a permanent fix that will protect those who live and work in the area over the long term," said Catherine McCabe, acting regional administrator for the EPA. "While we recognize that relocation will be a stress on these businesses, we are weighing that against the long-term risks from radiation, which include an increased risk of cancer. EPA believes that this proposal offers the best course of action."

The EPA announced that the full effort to overhaul the space would take place in July after previous mitigation efforts in 2012 to protect residents and employees at businesses from the radioactive waste.

"Most recently, DEC submitted a concurrence letter for the EPA's Record of Decision on September 21, 2017," a DEC spokesman said. "The ROD documents EPA's selected remedy, which consists of permanent relocation of the tenants, demolition of the former Wolff-Alport Chemical Company buildings, contaminated soil excavation, contaminated sewer removal/cleaning, and off-site disposal of the contaminated soils and debris. The state supports the selected remedy which carries an estimated cost of \$39.9M."

The Wolff-Alport facility once operated on the entire site, now split into six parcels, extracting thorium from imported monazite sand, which contains about 6 to 8 percent of the radiological metal. Until 1947, when the U.S. Atomic Energy Commission ordered it to stop, the company was dumping thorium waste into the sewer and other locations on the property, according to the EPA.

During an EPA survey in 2012, the agency also looked into the threat to children at nearby IS 384, which sits just across the Brooklyn border, They found radon gas emanating from a hole in the basement which was later sealed with concrete. Tests came back with radioactive readings below what would be considered a threat, according to the EPA.

The Superfund program is used to address some of the most pressing environmental issues in the country. It is employed by the EPA to launch oil spill cleanup efforts and disaster relief.

According to the state Department of Health, the six parcels of land in a 10-block section showed only 19 cases of cancer from 2005 to 2010. The cancer count was lower compared to the sections which sit adjacent to the Wolff-Alport land with each having 34, 26 and 27 cases within that time frame.

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 10/12/2017 5:13:54 PM

To: Gray, David [gray.david@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov];

Konkus, John [konkus.john@epa.gov]

Subject: RE: San Jacinto ROD

Let's not respond. Michael is a dirty and dishonest reporter who has been caught numerous times writing false information both in DC and when the AP had him in North Carolina too.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, October 12, 2017 1:02 PM **To:** Gray, David <gray.david@epa.gov>

Cc: Press <Press@epa.gov> **Subject**: San Jacinto ROD

David,

Two quick questions about EPA's Record of Decision ordering a cleanup at the San Jacinto River Waste Pits:

- 1) Can PRPs appeal a ROD, or is this final?
- 2) EPA previously said additional testing would be conducted to determine if exposed contaminated sediments migrated down river during and after Harvey. Has that assessment been completed and what are the results?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445

M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 10/11/2017 11:07:36 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

CC: Gray, David [gray.david@epa.gov]

Subject: Re: San Jacinto Pits

Let's stop here. The AP - especially Biesecker - are dirty reporters.

Sent from my iPhone

On Oct 11, 2017, at 6:59 PM, Bajak, Frank <FBAJAK@ap.org> wrote:

I found it online. I don't believe we got an email about it. https://www.epa.gov/newsreleases/san-jacinto-waste-pits-superfund-site-cleanup-plan-approved

From: Bajak, Frank

Sent: Wednesday, October 11, 2017 5:51 PM

To: 'Gray, David'

Cc: Press

Subject: San Jacinto Pits

Hi David,

I see a Chron story on EPA approving a plan to remove toxins from the San Jacinto Waste pits. I don't see a news release. Can you confirm the news and the details reported by the Chron? And when will this happen?

Many thanks,

-fb

http://www.chron.com/news/houston-texas/article/EPA-Approves-plan-to-remove-San-Jacinto-Waste-12270828.php

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Friday, September 29, 2017 9:59 AM

To: Bajak, Frank

Cc: Press

Subject: RE: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

Damage was discovered by sampling conducted by the dive team. I haven't seen locations for supplemental sampling but will share as soon as I get them. I am not aware of any testing in residential areas.

David

From: Bajak, Frank [mailto:FBAJAK@ap.org]
Sent: Friday, September 29, 2017 9:13 AM
To: Gray, David <gray.david@epa.gov>

Subject: RE: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

Hi David,

Thanks for the update. Who noticed the damage to the protective cap and when? Did local residents notice it first and alert EPA?

Do you have an estimate of how much waste may have escaped and can you tell me where the supplemental sampling is being done? Are you testing soils and sediment in residential communities near the site?

If you are able to offer a map of where the sampling has been done that would be great.

Many thanks, -fb

Frank Bajak, Correspondent

Twitter:@fbajak/Skype:fbajak

Cel. **Ex. 6** (Signal) Landline : +1-914-472-1145

PGP/encrypted chat: http://keybase.io/fbajak_06CFF14700F4CAA4

PGP key at http://pgp.mit.edu -Wickr, Signal, WhatsApp

Houston, Texas, U.S.A

<image001.jpg> <image002.jpg>

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 28, 2017 7:29 PM

Subject: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

EPA Statement – San Jacinto River Waste Pits Superfund Site Data

DALLAS – EPA is directing the potentially responsible parties of the San Jacinto River Waste Pits Superfund Site in Texas to take immediate action to address damage to the protective cap and high-levels of underlying waste material found at one of the samples on site. EPA received preliminary data from sediment samples collected by EPA's dive team from fourteen areas at the San Jacinto River Waste Pits Superfund site.

Samples from one of the fourteen areas confirmed the protective cap had been damaged and the underlying waste material was exposed. The sample showed dioxins at 70,000 ng/kg. EPA recommend clean up level for the site is 30 ng/kg.

EPA has directed both International Paper and Industrial Maintenance Corporation, the potentially responsible parties (PRPs) for the San Jacinto Waste Pits Superfund site in Harris County, to conduct supplemental sampling to ensure that the exposed waste material is isolated. The dioxin in the waste material does not dissolve easily in water but it can migrate further out into the surrounding sediments. The supplemental sampling will determine the extent, if any, of this migration.

Initial repairs have already been taken at the damaged area where the protective rock was missing. If necessary, EPA will direct additional visual dive operations to check for displacement

in the stone cover of the protective cap and more fully evaluate the cap for damage by Hurricane Harvey.

The PRPs developed an Operations, Monitoring, and Maintenance Plan under Federal Order by the EPA and completed work to prevent wastes from continuing to migrate to adjacent areas including the San Jacinto River in July 2011. The Order allows the Agency to require additional measures and investigations deemed necessary by the Agency from its periodic inspection of the protective cap. EPA is exercising that authority today. EPA divers determined that additional measures were necessary.

The PRP conducted similar repairs in December 2015. EPA proposed long-term remedy for the site has 150,000 cubic yards of waste removed and disposed of offsite.

EPA will continue to provide updates about the status of the Superfund site, and continue to work with the PRPs to ensure that risk to human health and the environment is managed as best as possible.

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From: FEMA-ESF15-Coordination [FEMA-ESF15-Coordination@fema.dhs.gov]

Sent: 10/7/2017 4:02:04 PM

Subject: FEMA: DR-4339-PR Media Analysis Report 10/7/17

Please see below for today's Media Analysis Report for DR-4339-PR.



Media Analysis Report Saturday 10/07/2017 DR-4339 PR

HOT ISSUES:

FEMA removing water and electric repair information from website. Repair of communications and electric grid.

Noteworthy Issues:

Congress preparing to approve more funding for Puerto Rico recovery.

Media Monitoring Trends:

The removal of water and restoration of electricity in Puerto Rico information from the FEMA website has become an issue in the media. It distracts from the real story of the efforts to restore services to the Island.n

As evidenced in some of the full stories included in this report some reporters, not the majority, are searching for evidence of the repeat of past events, like those that occurred after Hurricane Katrina in New Orleans.

The mass shooting in Las Vegas has eclipsed most other news coverage.

Table of Contents:

- 1. CBS: Hurricane Recovery-Puerto Rico
- 2. For Puerto Ricans in Hard-Hit Arecibo, 'Everything Was Lost'
- 3. Where Recovery Stands In Puerto Rico
- 4. FEMA Removes Statistics about Drinking Water Access And Electricity In Puerto Rico From Website
- 5. For Many on Puerto Rico, The Most Coveted Item Is A Plane Ticket Out
- 6. White House Rules Out Forgiving Puerto Rican Debt
- 7. Trump Wants Puerto Rico Debt Handled In Court, Not Wiped Out
- 8. AP FACT CHECK: Trump Strikes False Notes on Puerto Rico
- Trump Could Push the Justice Department into Puerto Rico's Debt Fight
- 10. Trump Wants To Curtail Flood Insurance in Flood-Prone Areas
- 11. House to Consider Disaster Relief Next Week
- 12. Congress Expected To OK More Hurricane Aid for Puerto Rico
- 13. A Hurricane Maria 'Tech Brigade' Is Helping Connect the Puerto Rican Diaspora
- 14. FEMA Proposes Partnering With States to Prepare Before Disasters
- 15. Should Uncle Sam 'Send In The Marines' After Hurricanes?

- 16. Gov. John Bel Edwards: Don't Take Tropical Storm Nate Lightly; 'People Need To Be Prepared
- 17. Deadly Tropical Storm Nate Gathers Strength, Expected To Hit U.S. As Hurricane
- 18. Weather Tiger: Nate Rapid Intensification Before Landfall Looks Less Likely
- 19. A Day before Caribbean Trip, Pence Meets Newly Arrived Puerto Ricans In Orlando
- 20. Much of Puerto Rico Has No Running Water And The Problem Is Not Just Cleanliness
- 21. Puerto Rico's Tourism Workers Are Rushing To Fill Recovery Jobs

Hurricane Maria - Social Listening Report - 10/6/17 2015 ET

Compiled by: Sara Smith, Caroline Strunk, Crystal Garner, Taronda Gibbons

This report is being distributed to FEMA External Affairs at Headquarters and Regions, FEMA HQ Office of Response and Recovery, NRCC Situational Awareness, Red Cross, HHS/ASPR, and FEMA DR-4339 (Command, External Affairs, Ops + S&R, Logistics, & Planning).

Summary: Volume of conversation is lower than yesterday with much of the mainland conversation shifting to other news stories. Local discussion has remained focused on recovery activities throughout the day. There has been an increase in people discussing options for assistance and registering with FEMA, but the majority of the FEMA discussion has remained focused on discussion of the webpage.

Report sections

- FEMA Conversation
- Operations
- Public Perception
- Rumors/Misinformation

FEMA Conversation

Public conversation:

- FEMA mentions continue to be dominated by negative commentary on the electricity and water statistics that were temporarily unavailable on the FEMA website, largely driven by traditional media reports that the data was intentionally deleted to obscure unfavorable statistics (example 1, example 2, example 3).
- We have updated the Hurricane Maria page to include these statistics.
- Registration information is being shared at a low volume and people are encouraging others to apply for their loved ones who don't have internet access (example 1, example 2).
- Some community groups are setting up sites where people can <u>register for FEMA assistance and apply</u> <u>for FEMA jobs</u> using shared internet and electricity.
 - o In addition to this, there's been a slight increase in people offering legal advice and help with submitting FEMA applications.
- One individual cautioned Floridians not to <u>confuse DRCs focused on Irma relief with Maria Reception</u>
 <u>Centers</u> like the one that opened in Osceola County today.

Operations

Life Safety

- Life safety discussion has continued at a steady level throughout the day. These are primarily second hand accounts of individuals needing help or resources in more rural or isolated locations.
 - o Mariana
 - o <u>Jayuya</u>

o Vieques

Migration

- School systems on the mainland are preparing for an influx of children from Puerto Rico.
- People continue to try to leave the area. Some are depending on loved ones outside of the area to
 make travel arrangements for them. Others are managing to find flights but have little else in the way
 of plans for their arrival in the mainland.

Recovery

- There continue to be a large amount of donation opportunities being organized on the mainland. Some groups are <u>struggling with the logistics</u> of moving the supplies collected from the mainland to Puerto Rico.
- A local university attempted to poll students via social media about whether <u>reopening classes</u> beginning October 30th would be too soon. There were mixed responses.
 - Most students responded that this felt too early to begin classes, noting that those who have been affected most significantly are likely not even seeing the message due to lack of connectivity and power. A smaller number said they would like <u>classes to resume as soon as</u> possible.
 - o Some students have said they remain evacuated with their families on the mainland.
 - This message provided a large number of first hand responses from people providing quick status reports from their area of the island:
 - <u>Cabo Rojo</u>: No lights, no signal, empty supermarkets
 - Arecibo: No water, no lights, no signal
 - <u>Mayaguez</u>: no lights, no signal, water comes and goes
 - <u>Santa Isabel</u>: no lights, water comes and goes, communication shaky with limited internet access via Claro
 - <u>Caguas</u>: limited access to water, communication comes and goes, easy access to gas, food fairly readily available
 - Canóvanas: mountainous areas are devastated and progress is slow

Energy

The Department of Consumer Affairs placed a cap on the price of diesel today of \$5/\$6 per gallon.

Public Health

• As of 1700 ET, it was reported that the Bayamón Health Center was distributing <u>insulin free of cost to individuals</u>. The same individual reported that there would also be endocrinologists available on site to assist patients with figuring out their dosage.

Critical Infrastructure:

 The <u>Fairview water station is functioning</u>. Residents in the service area should expect water to return early Saturday morning.

Public Perception

- There has been little change in the public sentiment since the last report. However, there is a more
 intense tone of desperation and loss of patience regarding the <u>restoration of utilities and</u>
 <u>communications</u>.
- People are simultaneously looking for ways off of the island and on to the island. Many people with older family members in Puerto Rico are concerned and attempting to book flights to go to Puerto Rico

to <u>check on their loved ones</u> and help with the rebuilding process. Others are choosing to fly their families directly to them.

Rumors/Misinformation

• One woman's post about US Postal Service workers <u>reportedly opening packages</u> sent to survivors in Puerto Rico and taking items has people outraged and calling for her to file a formal complaint. A small number of other people have said that packages have not arrived to their loved ones or did not arrive as expected.

HURRICANE RESPONSE:

Clips:

What others are saying:

- The CBS Evening News (10/5, story 5, 2:00, Mason, 11.17M) reported, "Tonight, BP is shutting oil and natural gas production at its Gulf of Mexico platforms ahead of Tropical Storm Nate, which formed today in Central America. Nate is now forecast to hit Louisiana or Mississippi Sunday morning, possibly as a category one hurricane.
- NPR Radio: David Greene interviews Chris Krebs, assistant secretary of infrastructure at DHS—GREENE:
 "Two weeks after Hurricane Maria hit Puerto Rico, much of the island still lacks power, clean water, medical supplies. The death toll has reached 34..." (See below for transcript)

Video/Audio

CBS: https://www.cbsnews.com/news/inland-puerto-rico-suffering-weeks-after-hurricane-marie

NBC: https://www.nbcnews.com/storyline/puerto-rico-crisis/puerto-ricans-find-solace-fresh-water-roadside-

<u>spout-n808246</u>

ABC: http://abcnews.gp.com/politics/wirestory/pence-checks-maria-impact-us-virgin-islands-

50325919?cid=clicksource 4380645 5 heads posts headlines hed

CNN:

https://www.bing.com/videos/search?q=mid=f6291469390d351CFCEF6291469390D351CFCEE&FORM=Vire

Full Stories

CBS: Hurricane Recovery-Puerto Rico

The CBS Evening News (10/5, story 5, 2:00, Mason, 11.17M) reported, "Tonight, BP is shutting oil and natural gas production at its Gulf of Mexico platforms ahead of Tropical Storm Nate, which formed today in Central America. Nate is now forecast to hit Louisiana or Mississippi Sunday morning, possibly as a category one hurricane. A state of emergency has been declared in New Orleans. Our David Begnaud is just back from more than two weeks in Puerto Rico. He was there before Hurricane Maria hit. His reporting after the storm prompted action. Welcome back, David." CBS (Begnaud) added, "It's good to be here." Mason: "San Juan's mayor, David, Carmen Yulin Cruz, was one of the fiercest critics of aid being slow to arrive in Puerto Rico. You talked with her almost two weeks ago. Let's listen first." Mayor Carmen Yulin Cruz, San Juan, Puerto Rico: "Think of your worst nightmare, and there it is, no power anywhere in Puerto Rico. No water. The reservoirs of drinking water have been depleted. Diesel is very quickly running out." Mason: "So, bring us up to date. Do people have power yet?" Begnaud: "Most don't. Ninety-one percent of the island is without power. In fact, Anthony, last night in one of the hospitals, the power grid went down. So they had to evacuate patients to the

floating hospital, the US naval ship Comfort. Today, I was told they're now assessing all the hospitals to make sure the power grids are up to date, and they're pre-planning for possible evacuations of other hospitals if need be." Mason: "What about the interior of the country?" Begnaud: "It's worse, much worse. In fact, that's where you've got people who are drinking water and bathing with stream water, okay. And the governor's office is telling us they've identified isolated areas with special needs. And so what they're doing is, they're actually sending fuel trucks into each of those cities and positioning a fuel truck there. But so many people have asked, 'What's taken 15 days to do that?'" Mason: "Well, how much longer, David, do you think before there's real relief?" Begnaud: "The governor has said some people could be without power for up to a year, and still tonight, you have people saying, 'We need more food and more water.'"

For Puerto Ricans In Hard-Hit Arecibo, 'Everything Was Lost'

By Sarah Marsh

NBC News, October 5, 2017

When Hurricane Maria ripped through Martell, a neighborhood in this northern coastal town, the river swelled, rushed through the windows and doors of homes and swept away the life residents once knew.

"The nights are very hard because of the heat, the wet mattresses," Ana Toribio Vargas, 62, said in Spanish from her home. "We thought about sleeping tonight on this little mattress our friend brought us, but it's not easy to sleep on a wet mattress and then with the suffocating heat."

It's been two weeks since the monster storm blasted through Puerto Rico, and residents in hard-hit areas far afield from metropolitan San Juan, such as those in Arecibo, want to move forward. But they are stifled by the slow restoration of cellphone service, electricity and safe drinking water.

Ana Toribio Vargas, 62, at her home on Oct. 4 in Arecibo, Puerto Rico Brock Stoneham / NBC News Toribio Vargas and her 33-year-old daughter rode out the storm in a nearby shelter. After staying a few days with a relative, they returned to their flooded home.

"Everything was covered with water and mud," Toribio Vargas said. "Everything was lost. Everything."

"There were so many tree trunks and branches that the river had brought that I couldn't even open my door," she added. "We couldn't do anything."

They've been cleaning out what little Maria left behind. While running water came back on Tuesday, it is dirty and unsafe to drink.

"Sometimes I feel like I'm living in a nightmare," she said through tears.

The cement homes near the Rio Grande de Arecibo bare flood lines 7 to 8 feet high. While the water has receded, it left floors, walls and even appliances caked in mud.

On Wednesday, Edwin Cortes Medina, wearing vinyl galoshes in the sweltering heat, lifted a metal sheet from his driveway and carried it to a pile in the median of the street outside his home. He repeated the chore again and again, removing soaked debris that arrived from elsewhere and damaged furniture.

Edgar Cortes Medina clears debris from his home after it was flooded during Hurricane Maria. Brock Stoneham / NBC News

"This is the first time I've ever seen anything like this in my whole life," said Cortes Medina, 47. "This whole community of about 200 houses, they lost everything."

His partner, Emilia Burjosa Rivera, said when they first came to survey the damage a day after the storm subsided, they found their fridge overturned by floodwaters and all of their belongings ruined, including photographs of her children as babies.

"It was horrible, I burst out crying," Burjosa Rivera, 45, said in Spanish. "Now I'm tolerating it and assimilating it, but it's not easy."

Inside their home, the mud was about an inch thick on the floor. A mattress lay in the front room. The invasion of mud and water in her children's room, where a "Do Not Enter" sign was plastered on the door, had left a jumble of clothes and debris dumped on bunk beds. Just a few days ago, there was still water in the house.

They are trying to salvage what they can and have been living with Burjosa Rivera's mother in a home for the elderly in another part of Arecibo.

A neighbor who stayed behind during the storm was swept away by floodwaters and killed, she said. She has heard of other deaths, too. The island's official death toll from the storm stands at 34.

The house of Edgar Cortes Medina after Hurricane Maria caused a river to flood his home on Oct. 4 in Arecibo, Puerto Rico Brock Stoneham / NBC News

"What made me happy was that I left, because if I would have stayed, I would have died," Burjosa Rivera said. Burjosa Rivera said she got an emergency relief kit at a coliseum in Arecibo after the storm, but had not seen any Federal Emergency Management Agency workers in her neighborhood.

FEMA said on its website that it has more than 800 personnel on the ground in Puerto Rico and the U.S. Virgin Islands for Hurricanes Maria and Irma. The agency said that it has provided "millions of meals and millions of liters of water" to both areas and that they "continue to arrive to the islands regularly via air and sea."

ortes Medina said the family had prepared supplies for about a week but were running thin.

Burjosa Rivera waited nine hours in line to gas up her car just four days ago.

"We're going to see how the island goes on, how it picks itself up," Cortes Medina said. "And we hope to God that help from FEMA gets here to the people who need it the most."

Crews were in the town Wednesday replacing power lines so that electricity could be partially restored by Thursday to banks, supermarkets and businesses, according to some of the crew members.

Electrical workers repair the lines on Oct. 4 in Arecibo, Puerto Rico Brock Stoneham / NBC News Many residents were still scrambling for basics on Wednesday.

Nancy Torres was standing in a line for ice in the late afternoon in Arecibo.

She had traveled from Miraflores, a rural town about five miles south of Arecibo that has no fruit, vegetables, gasoline or water. Torres said her freezer is empty.

But she has discovered that getting in line before dawn is not enough to get staples. Priority is given to police and government workers. At Areceibo, the ice distribution for civilians ended at 4 p.m., after which only those who could prove they were government workers could get some.

Torres lingered a little longer hoping to get lucky. She watched government workers who'd been behind her in line carry out two bags of ice. Eventually, she gave up and walked away empty handed.

"We are not well," Torres said in Spanish. "Puerto Rico has a lot of needs."

Where Recovery Stands In Puerto Rico

NPR, October 5, 2017

Most Puerto Ricans remain without power and basic supplies. David Greene talks about recovery efforts with Chris Krebs of the Department of Homeland Security.

DAVID GREENE, HOST:

Two weeks after Hurricane Maria hit Puerto Rico, much of the island still lacks power, clean water, medical supplies. The death toll has reached 34. Chris Krebs plays a key role in the Trump administration's response to the disaster. He's assistant secretary for infrastructure protection at the Department of Homeland Security, and he was just in Puerto Rico. He's returned and is in Washington, D.C.

Good morning.

CHRISTOPHER KREBS: Good morning, David. How are you?

GREENE: I'm good. Thank you.

I wonder – President Trump was in Puerto Rico this week, said you know, the administration has done an incredible job, A-plus, as in Texas and Florida. Do you agree with that?

KREBS: Well, here's what I'd say. He's leading the full effort of the federal government in support of the state and local government – Governor Rossello, all the mayors down there. And from what I've seen – I have been down there twice. I was down there last Monday and then again last Friday, looking to get back down there either Friday or Monday. Every time I've been down there – and I have many people on the ground in the island that work for me – we're seeing progress every day. There's no question that we're making progress every day. Still focused on saving lives but, at the same time, getting the services – the critical services back up and running to ensure that the people of Puerto Rico have what they need to go about their daily lives and get some degree of normalcy back in their lives.

GREENE: Sounds a little less self-congratulatory than what we heard from the president, a little more measured.

KREBS: You know, I'm not (laughter) in the job of giving grades to anybody. I'm just focused on getting the job done and making the lives of the American people in Puerto Rico a little bit better.

GREENE: Let me ask you – we had one of my colleagues on this morning who was traveling around with a federal disaster medical team and described this dramatic moment where they heard about a hospital, they were told, where there was the smell of decomposed bodies, that the hospital was shutting down. They rushed there as quickly as they could to find out that much of that was not true – that there was, you know, a lot of – you know, some misinformation out there. But is that the reality? Without information, without communication – is it that reactive, reactionary and desperate right now?

KREBS: You know, I think there's a little bit of truth to that. But generally speaking, I think there's a fairly good lay down in Puerto Rico and also in the Virgin Islands. There's over 17,000 federal workers. That's FEMA, Department of Defense and you name what other department or agency across the central government. There's 17,000 folks down in the islands. We've made contact with every community. Of all the hospitals down there, there are 15 that are back on the grid; 50 are on generator power. One of them is off the grid. It closed – or, you know, no generator power. And then for those that are on generator power, we prioritized fuel deliveries.

And that is the No. 1 priority, is hospitals and dialysis centers — making sure they have the resources they need, whether it's fuel, food, water, pharmaceuticals, medicine, you know, what have you. That's the top-line effort. But on the communications piece, it was a challenge right after landfall. It was a challenge. Like I said, I have a number of people in Puerto Rico. There are a number of FEMA personnel that were kind of buttoned up, rode out the storm. I mean, as a matter of fact, FEMA was on the ground in Puerto Rico and the Virgin Islands before Irma. You know, keep in mind that this is the second hurricane to hit the Virgin Islands and Puerto Rico...

GREENE: Yeah.

KREBS: ...This season, two Cat 4's, by the way. So we had people there. They rode it out. We stocked before Irma, stocked after Irma before Maria and were ready for the storm. But, you know, when you talk about the force of the impact and the impact on the communications services and talk about the power...

GREENE: I mean, the island was totally knocked out. It was totally knocked out. I mean, you couldn't...

KREBS: Yeah, yeah. It's – yeah, it took some time. But I, personally – my organization in DHS is specifically responsible for coordinating with the communications providers. I've been working very closely with the AT&Ts, Verizon, Sprint, Claro, the folks that provide the daily communications services. And we've made a lot of progress. But the permanent infrastructure, those cell sites, that's going to take some time to get back up. In the meantime, what they're doing is focusing on getting some temporary communications services back on the ground, talking about cell...

GREENE: I see, to kind of carry you along in the interim. Can I just shift to talking about the supplies you were talking about?

KREBS: Yep.

GREENE: President Trump pointed the finger at Puerto Rican truck drivers, saying, you know, you've got to do more to get the supplies out there. And he said, on a local level, they have to give us more help. And I just think about an island that has lost practically everything. Is it fair to criticize the local community, saying you got to do more here? Is that fair?

KREBS: Well, the way it works under federal statute for emergency management is that the federal government is in support of state and local government. It is a team effort. It's a team effort. But, you know, every disaster is different. And when the local government, when the local service providers – when they're in victim status, it does create some challenges, particularly in a complicated logistical environment like Puerto Rico.

But, you know, on that note, I'll say that it has been a team effort. Everybody's pulling the same direction. We're trying everything we can do to get the people of Puerto Rico back up and running, getting their services back up. And on that note, I mean, we are truly seeing the best of people. This is a team effort, like I said. Volunteer organizations – you're seen a number of celebrity chefs down there helping out. Everybody's chipping in. It's not just a federal response. It's private sector volunteers, state, local and federal.

GREENE: OK. That is Chris Krebs. He is assistant secretary for infrastructure protection at the Department of Homeland Security, playing a key role in the Trump administration's response in Puerto Rico. Thanks so much for the time.

KREBS: Thank you, David.

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FEMA Removes Statistics About Drinking Water Access And Electricity In Puerto Rico From Website By Jenna Johnson

Washington Post, October 5, 2017

As of Wednesday, half of Puerto Ricans had access to drinking water and 5 percent of the island had electricity, according to statistics published by the Federal Emergency Management Agency on its Web page documenting the federal response to Hurricane Maria.

By Thursday morning, both of those key metrics were no longer on the Web page.

FEMA spokesman William Booher noted that both measures are still being reported on a website maintained by the office of Puerto Rican Gov. Ricardo Rosselló, www.status.pr. According to that website, which is in Spanish, 9.2 percent of the island now has power and 54.2 percent of residents have access to drinking water. Booher said that these measures are also shared in news conferences and media calls that happen twice a day, but he didn't elaborate on why they are no longer on the main FEMA page.

"Our mission is to support the governor and his response priorities through the unified command structure to help Puerto Ricans recover and return to routines. Information on the stats you are specifically looking for are readily available" on the website maintained by the governor's office, Booher said.

The statistics that are on the FEMA page, as of Thursday afternoon, include these: There are now 14,000 federal workers on the ground in Puerto Rico and the U.S. Virgin Islands, up from 12,300 earlier in the week. All airports, federally maintained ports and post offices are open. More than 30 miles of roadway have been cleared, up from about 20 miles earlier in the week. About 65 percent of grocery stores have reopened, along with nearly all hospitals and dialysis centers. And 64 percent of wastewater treatment plants are working on generator power.

Those statistics illustrate President Trump's assertions that the island is quickly making tremendous strides toward full recovery and that the media have exaggerated the conditions on the ground. He has noted that despite the force of the storms that hit Puerto Rico, the death toll is not as high as it was after Hurricane Katrina in 2005, when about 1,800 people were killed. Officials have said that it could be months before power and water are fully restored to the island, especially in rural, isolated areas.

Trump, who visited Puerto Rico on Tuesday, has repeatedly noted that the infrastructure of the financially struggling island was already weak before the hurricane hit. In a series of tweets Sept. 25, Trump wrote that Puerto Rico was "already suffering from broken infrastructure & massive debt" and had an "old electrical grid, which was in terrible shape." During his visit Tuesday, Trump told reporters that it's difficult to fix the power grid because it "was devastated before the hurricanes even hit," and that federal workers have been bringing dozens of generators to the island to power hospitals, government buildings, shelters and other key locations.

FEMA Takes Down Data On Puerto Rico Access To Water And Electricity

By Josh Delk

The Hill, October 5, 2017

The Federal Emergency Management Agency (FEMA) website has removed key statistics on Puerto Rico's recovery from Hurricane Maria from its website, according to The Washington Post.

FEMA removed information on Puerto Rico's access to clean drinking water and electricity, both of which were severely crippled by the storm. On Wednesday, the site reported that half of the U.S. territory's residents had access to clean drinking water and 5 percent had power, according to the Post.

But on Thursday, that information was missing from the website.

Up-to-date reports on the availability of water and power on the island can now be found on a site run by the Puerto Rico governor's office, which is entirely in Spanish, a FEMA spokesman told the Post. They did not give a reason for the removal of the statistics from the agency's website.

The official federal site still shows other vital statistics on Puerto Rico, such as the roughly 65 percent of grocery stores that are open, along with 64 percent of its wastewater treatment facilities. All of the island's ports and airports are now fully operational as well.

While FEMA says that 92 percent of hospitals and 96 percent of dialysis centers on the island are now open, many hospitals are still running on emergency power, crippling air conditioning systems in the facilities and imperiling hospital patients to the island's tropical heat.

Puerto Rico Gov. Ricardo Rosselló raised the official death toll from the hurricane to 34 on Wednesday, and some experts predict the toll will rise even more as the federal government continues to help the island regain access to vital resources.

For Many On Puerto Rico, The Most Coveted Item Is A Plane Ticket Out

By Jack Healy And Luis Ferré-Sadurní

New York Times, October 5, 2017

SAN JUAN, P.R. — On a hurricane-battered island where people may still wait hours for gasoline, cash and ice, one of the scarcest, most precious commodities has become a plane ticket out.

Two weeks after Hurricane Maria, thousands of Puerto Ricans are cramming onto the small number of scheduled flights and charter jets and are fleeing for the mainland United States, rather than endure months more without power, cellphone service or regular running water.

"Nothing is beautiful any more," said Glenda Gomez, 31, who is planning to leave for Miami on Friday with her three children.

So people are selling their cars, abandoning wrecked houses and leaving their property in the hands of relatives who are staying behind. Some expect to return after a few months on the mainland; others say they are going for good.

Puerto Rican airports have become scenes of tearful goodbyes as families send their children, spouses and parents to live with relatives in Orlando, New York, Washington — wherever.

On the mainland, cities and states with large Puerto Rican populations are preparing for the influx by trying to help people find housing, work and schools. Florida alone — already home to 1 million Puerto Ricans — anticipates as many as 100,000 arrivals to the Orlando and the -Tampa Bay area.

In the two weeks since the storm gutted Ms. Gomez's home on the eastern coast of Puerto Rico and ruined her dreams of renting rooms to tourists, Ms. Gomez said, her family has been surviving on canned food and boxed milk, paid for with the only cash they had on hand — her three children's private-school fees. Her husband has been waiting in line for hours to buy fuel for their generator. She has been making two-hour trips to buy groceries from a swampy supermarket. Finally, she decided: Enough.

Relatives in Miami offered to buy plane tickets for her and the children, and Ms. Gomez made plans to use the last few gallons of gasoline in her car — it was just enough for the drive to the San Juan International Airport. Puerto Ricans have streamed off the island for so many decades and in such numbers that migration is woven into Puerto Rico's identity and culture. One aching anthem pines that "I'm leaving, but one day I'll return to find my love, to dream again, in my Old San Juan."

Now, the exodus of families like the Gomezes is accelerating a decade-long slump in population that has seen Puerto Rico lose about 400,000 people during a period of economic strain. Experts say the new wave of migration raises concerns about who will be left to rebuild the island's shattered infrastructure, and how an economy suffocated by \$73 billion in debt and 10 percent unemployment will rebound if tens of thousands more residents suddenly leave.

"It's going to be a stampede," said Jorge Duany, a professor at Florida International University who studies migration to and from the island — and has left the island himself. "I thought I'd go back and retire. But now it looks like it's going to take a little longer."

Mr. Duany said it was too early to say how many were migrating on the packed planes leaving San Juan, or how many might become range back if Puerto Rico heals and life eases back to normal sooner than expected. Working-age adults made up the bulk of migrants over the past decade, Mr. Duany said, but this storm has prompted many families to put older relatives and children onto planes, to ensure that they get necessary medical care or to salvage something of the school year.

In interviews across the island and in packed airport departures halls, people said they were already registering their children for school in Orlando, Charlotte or New York. They are starting to line up jobs and apartments with relatives across the country.

Nancy Santos, 58, who was waiting in an ice line in Ponce last week, said she plans to leave as soon as possible with her daughter and three grandchildren. They will join family in Connecticut at least until Christmas, while they wait for I conditions to normalize in Puerto Rico. Once things settle down, she plans to return to Ponce to sell her cars and furniture and then leave for good.

"Everyone will leave — everyone," she said. "Things are so bad here. Look at us, making lines in the middle of the night for two bags of ice that are half water." She added: "I have to do it for the kids. I am not going to think about it twice."

Nayda Dávila, a 69-year-old retired judicial worker, said she could not stop crying as she packed her only piece of luggage by candlelight earlier this week. Her daughter in Washington, D.C., bought her a one-way ticket to get out of her rural hometown of Salinas.

"It's the heat, the sun," Ms. Dávila said. "There's no water, no food, and six to eight hours for gas." She locked up her home, left her three dogs with a close friend and said she will remain stateside with her daughter indefinitely. She said had never considered leaving her patria, her motherland, until now.

"At my age, how much longer do I have left?" Ms. Dávila said. "And this island won't recover for much, much longer."

Ms. Dávila was one of the 10 passengers waiting on Wednesday to board a humanitarian flight on a private jet departing from Isla Grande Airport, a small airfield next to the convention center in San Juan where hurricane relief efforts are headquartered.

"I'm a strong woman," Ms. Dávila said, holding back tears as she stared at the runway. "But Maria defeated me."

Many of the dozen waiting passengers were older or had medical conditions for which treatment was impeded by the storm.

Juan Delgado Torres, 75, was still recovering from a knee operation he had two months ago. Since Maria lashed the island, he hasn't been able to get the medication he needs or a doctor to prescribe it. To get him stable care, his daughter in Philadelphia organized a way out of the island and offered him her home.

"I'm going one way, until things get better," said Mr. Delgado, a retired office clerk. "It's painful, I don't want to do it, but I have to."

The decision can be just as painful for the young.

Hurricane Maria's winds blew away parts of Hacienda Don José, a popular tourist restaurant in Condado, and took José Manuel Ureña's job as a cook with it. Left without a source of income, Mr. Ureña decided it was time to leave.

"I want a change," said Mr. Ureña, sitting on the curb at Juan Ponce de León Avenue in Santurce, where residents gather at a popular Wifi spot, many to arrange a way out of the island. "I haven't accomplished anything here," he said.

On October 19, Mr. Ureña, 24, plans to board a flight to Newark where a friend, who is also leaving Puerto Rico, found him a job as a cook at a Thai restaurant. Mr. Ureña says he only knows "basic English," but he's migrating "with an open mind."

"I feel nervous and scared," he said. "As the day looms closer, the worse I feel."

In Florida, Gov. Rick Scott declared a state of emergency on Monday for all 67 counties in the state, making it easier for the counties to house, educate and help Puerto Ricans by waiving regulations. The declaration could also attract more federal money to the state.

For more immediate help, the governor announced that Florida will set up three one-stop relief shopping centers inside airport terminals and the Port of Miami, where Puerto Ricans can seek assistance with jobs, education, housing and programs like Medicaid and food stamps.

But some families like the Ortizes have no idea exactly what awaits them when they step off the plane.

Raymond Ortiz plans to put his teenage son and daughter on a plane on Sunday, to travel to his sister's home in Rocky Mount, N.C. He and his wife will follow later. Mr. Ortiz, 50, was born in New York, but he has lived in Puerto Rico for 16 years, and his wife and children were born here.

He said he will probably do maintenance work, and his wife — an office assistant at a health agency — has a lead on a job at Dunkin' Donuts. He said his wife is especially anxious because she speaks halting English and has lived only in Puerto Rico.

But the family looked at a satellite view of their new hometown on Google Maps, and Mr. Ortiz said he loved all the green he saw. The high school that his 16-year-old son will attend has two baseball diamonds — a dream for a player whose team has not had a practice or game since before the hurricane.

Mr. Ortiz had wanted to return to the mainland even before Maria, because he was fed up with the island's schools, hospital system, politics and crime. The lingering mess created by the hurricane was the last straw for him. Still, he said he felt a twinge about leaving.

"I feel really at home here — more than those 35 years I lived in New York City," he said. "I'm going to a place I've never been. I don't know nobody. I don't know the neighborhood. It's like starting all over again."

White House Rules Out Forgiving Puerto Rican Debt

By Ben Kamisar

The Hill, October 5, 2017

The White House threw cold water on the prospect of forgiving Puerto Rico's debt days after President Trump floated the idea as a way to help the island deal with widespread damage from Hurricane Maria.

When asked about Puerto Rico's more than \$70 billion in debt, White House press secretary Sarah Huckabee Sanders said that the best thing for the island will be for it to use the normal process set up to deal with its debt.

"There's a process for how to deal with Puerto Rico's debt, and it will have to go through that process to have a lasting recovery and growth," she said Thursday.

"That is a process that was put in place and set up under [former President] Obama, and has a board of advisers that deals with that debt. It'll go through that process as we move forward," she continued.

Trump appeared to signal an openness to wiping out Puerto Rico's debts during an interview with Fox News on Tuesday, a claim that sent markets spinning with the possibility that creditors would not be paid back. Puerto Rico's bonds reportedly plunged upon those comments.

"They owe a lot of money to your friends on Wall Street and we're going to have to wipe that out," Trump said. "You can say goodbye to that."

The administration has worked over the past few days to walk back those comments. Office of Management and Budget Director Mick Mulvaney told CNN on Wednesday that Trump should not be taken "word for word" and later told Bloomberg News, "We are not going to pay off those debts."

In 2016, Congress established a debt oversight board tasked with controlling the island's budget and debts as a way to deal with spiraling debt in the U.S. territory.

Trump Wants Puerto Rico Debt Handled In Court, Not Wiped Out

By Justin Sink, Toluse Olorunnipa, And Rebecca Spalding Bloomberg News, October 5, 2017

President Donald Trump wants Puerto Rico's \$74 billion debt to be addressed through the bankruptcy process established under a law passed last year, White House press secretary Sarah Huckabee Sanders said, not eliminated, as he suggested in a television interview.

"There's a process for how to deal with Puerto Rico's debt. It will have to go through that process to have a lasting recovery and growth. This is a process that was put in place and set up under Obama," Sanders told reporters at the White House on Thursday. "The president wants it to go through that process, and that's the stage we're at on that."

Her remarks were another attempt by administration officials to clarify Trump's intentions regarding the territory's debt after he rattled the \$3.8 trillion municipal bond market on Tuesday with an interview suggesting he wanted the debt eliminated.

"We have to look at their whole debt structure," Trump said in a Fox News interview. "They owe a lot of money to your friends on Wall Street. We're going to have to wipe that out. That's going to have to be – you know, you can say goodbye to that. I don't know if it's Goldman Sachs but whoever it is, you can wave goodbye to that."

White House officials quickly sought to walk back the statement. Trump's budget director, Mick Mulvaney, said Wednesday morning – as Puerto Rico's bond prices sunk to a record low – not to take Trump literally. "I think what you heard the president say is that Puerto Rico is going to have to figure out a way to solve its debt problem," Mulvaney said.

The price of Puerto Rico bonds rallied after Mulvaney's comments and were little-changed on Thursday, steadying after the rout triggered by Trump's remarks. Its general-obligation bonds due in 2035, one of the most actively traded securities, changed hands for about 38 cents on the dollar, roughly where the price closed on Wednesday.

Trump's remarks on the debt stirred calls from Democratic lawmakers for new steps to ease the commonwealth's financial situation in the wake of the devastation caused by Hurricane Maria. In addition to its existing debt load, Puerto Rico is facing a massive rebuilding effort that the its federal oversight board says could cost \$95 billion.

Senator Chuck Schumer, the Democratic leader in the chamber, said Wednesday that Puerto Rico needs "a far fairer solution" to its debt burden. Schumer's House counterpart, Representative Nancy Pelosi of California, joined calls for the Treasury Department to extend a loan to help Puerto Rico in the short term, as the administration and Congress seek to aid the U.S. territory in rebuilding.

Trump's statement may have been a needed jolt for Puerto Rico's bond market, said Matt Fabian, a partner with Municipal Market Analytics.

"Prices should have gone lower after the hurricane than they did, so the president's statement, however ill-tempered, maybe did help," Fabian said. "Maybe this is helping the market wake up to the fact that prospects are diminished post-storm."

The island began a bankruptcy-like proceeding in May to restructure its debt, the largest such process in this history of the U.S. municipal bond market. The island's debt service payments have been on hold while it restructures its obligations in court.

Even before the storm, Puerto Rico said it could only pay a fraction of what it owed its creditors. The island's fiscal plan, approved by the federally appointed oversight board with broad control over the commonwealth's finances, allocated an average of about \$800 million annually to bondholders over the next decade of the more than \$3 billion it owed each year.

Hurricane Maria's devastation of the island casts doubt that it will be able to afford the payments in the near term given government funds will likely be spent on the recovery. Tax collection has also been disrupted, local officials say.

Hedge funds aren't the only holders of the island's debt: billions of dollars worth of Puerto Rico's bonds are held by local residents, many of whom are retirees. Bonistas Del Patio, or backyard bondholders, a group that represents the interests of local investors, said in a statement that forgiving the commonwealth's debt would not only wipe out these residents' portfolios, but may also impede the island's economic growth as it recovers from the storms.

- With assistance by Erik Wasson

AP FACT CHECK: Trump Strikes False Notes On Puerto Rico

By Calvin Woodward And Seth Borenstein Associated Press, October 5, 2017

WASHINGTON (AP) — President Donald Trump struck false notes in addressing Puerto Rico's crisis in recent days, exaggerating both the ferocity of a truly ferocious hurricane and the pace of recovery. He also seemed to raise false hope that the territory's staggering debt would go away.

A look at his remarks during and after his visit to the hurricane-ravaged island:

TRUMP: "This has been the toughest one. This has been a Category 5, which — few people have ever even heard of a Category 5 hitting land. But it hit land and, boy, did it hit land." — remarks Tuesday in Puerto Rico. THE FACTS: As terrible as it was, Maria actually made landfall on Puerto Rico as a Category 4 hurricane, not 5. Winds were at 155 mph (249 kph), not 157 (253), the minimum for Category 5. It's a distinction no doubt lost on Puerto Ricans — the storm was even stronger than Harvey and Irma upon landfall, said National Hurricane Center spokesman Dennis Feltgen. But, "operationally it was a Category 4 hurricane."

Trump has repeatedly misstated the record. A week earlier, he said: "It actually touched down as a Category 5. People have never seen anything like that, and it was dead center." And: "The second one hit Puerto Rico as a Category 5. I don't believe anybody's ever seen that happen before, hit land with that kind of velocity."

Trump also said at one point that Maria had winds of 200 mph (322 kph). No official reports put the winds that strong.

His supposition that no other hurricane has made landfall with such velocity is wrong, even when limiting the scope of the comparison to the United States. Maria's winds at landfall were exceeded by three Category 5 hurricanes that came ashore on the U.S. mainland: in the Florida Keys in 1935, Camille in 1969 and Andrew in 1992. And Maria wasn't the strongest recorded hurricane to hit Puerto Rico. Hurricane San Felipe was. It made landfall in 1928 as a Category 5.

TRUMP on Puerto Rico's debt: "We're going to have to wipe that out. ... I don't know if it's Goldman Sachs, but whoever it is, you can wave goodbye to that." — to Fox News on Tuesday.

THE FACTS: Washington doesn't have the authority to force investors to take massive losses, if that's what he meant. And Trump's budget director, Mick Mulvaney, said afterward: "We are not going to be offering a bailout for Puerto Rico or for its current bondholders."

Much of the \$74 billion debt is tied up in court-supervised restructuring since Puerto Rico sought a form of bankruptcy protection last year. Brian Setser, a former Treasury official who worked on Puerto Rico's debt crisis, said the court process is likely to yield significant debt reduction, but "it is not something that the president can make happen."

Trump's remark contributed to a plunge in Puerto Rico's bond prices. Falling bond prices are a sign that investors may be less likely to be repaid — something that usually makes it more expensive for governments and companies to borrow.

Although the type of federal hurricane recovery aid that Puerto Rico receives could influence how debt repayment unfolds, that's not a bailout and creditors won't be paid anytime soon.

White House spokeswoman Sarah Huckabee Sanders said Thursday that Puerto Rico will "have to go through that process" set up during the Obama administration "to have a lasting recovery and growth." There was no hint in her comments that Trump plans an initiative to make the debt disappear.

TRUMP: "Who needs a flashlight? ... Flashlights, you don't need 'em anymore. You don't need 'em anymore." — while handing out flashlights and tossing rolls of paper towels to a crowd in Puerto Rico on Tuesday.

THE FACTS: It's possible his particular audience did not need flashlights, but many Puerto Ricans do. He was visiting the upscale Guaynabo neighborhood, one of the fastest to recover. But more than 90 percent of the island's electricity customers remained without power at the time, nearly two weeks after the hurricane. And those who have it back are experiencing periodic blackouts.

Trump called the recovery "nothing short of a miracle." But the tour showed him a small slice of the island and exposed him to few critics of the relief effort. Visits to homes hammered by the storm were pre-arranged. Water shortages and despair continue in much of the island even as relief supplies have started to move faster and more gas stations start pumping again.

Even in the heart of San Juan, a few miles from Trump's path, people were hauling clothes fouled with sewage and wet mattresses out of homes still without electricity as he issued his upbeat report. They said no one has come to help them since the storm hit.

Associated Press writers Danica Coto and Jill Colvin in San Juan, Alexandra Olson in New York and Ken Thomas in Washington contributed to this report.

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Trump Could Push The Justice Department Into Puerto Rico's Debt Fight

By Steven Church

Bloomberg News, October 5, 2017

After President Donald Trump said Puerto Rico's debt will be wiped out, White House officials rushed to rule out any U.S. bailout of bondholders, who lent the commonwealth about \$74 billion.

But Trump, who used bankruptcy to restructure billions owed by his former businesses, has other ways to insert the federal government into one of the most complicated insolvency cases ever filed in a U.S. court. He could order the U.S. Justice Department to defend the 2016 federal law that Puerto Rico is trying to use to slash its debt and about \$49 billion in pension obligations. Bondholder Aurelius Investments LLC is trying to have that law, known as Promesa, declared unconstitutional, which would throw the restructuring into chaos.

But he has to move soon. The judge overseeing the Title III bankruptcy case has given the justice department a Nov. 6 deadline to decide whether to defend the constitutionality of Promesa, or leave the job to a federal oversight board.

Another option: the Justice Department becomes a party to the bankruptcy, which would give the White House the chance to directly influence a final restructuring plan of the island's debt load and what Wall Street creditors get repaid. That plan will be put together by the federal oversight board, which is responsible for prosecuting the bankruptcy case and was appointed before Trump got elected. Dynamic Uncertainty In any event, bringing the U.S. into the fray would make a difficult case even more complicated, bankruptcy experts say.

"You don't need any more dynamic uncertainty," said James Spiotto, managing director at Chicago-based Chapman Strategic Advisors LLC, whose firm advises on municipal restructurings.

In order to get into the case, the Department of Justice would need permission from the judge overseeing the bankruptcy, U.S. District Court Judge Laura Taylor Swain. To do that, lawyers could point to the fact that because Puerto Rico is a territory, not a state, it's considered property of the U.S. under the constitution. "That could give Trump the opening to become a party and get involved," said Bruce Markell, a professor at Northwestern University School of Law and a retired bankruptcy judge. Creditor Benefit?

Even if Trump did push the U.S. into a direct role in Puerto Rico's bankruptcy, he would have to abide by the same rules as any creditor or other participant, Spiotto said. The oversight board would still be in charge of proposing a debt-adjustment plan and the judge would still have the final say over whether that plan is approved.

Being a party to the case would simply mean that the U.S. could participate in hearings and file motions supporting or opposing any of the dozens of legal fights that will need to be resolved before Puerto Rico can exit bankruptcy.

Outside of the bankruptcy case, Trump can't do much to help Puerto Rico eliminate its debt, said Richard Cooper, a restructuring lawyer with Cleary Gottlieb Steen & Hamilton LLP, which until earlier this year had been advising Puerto Rico on its debt troubles.

"Other than using his bully pulpit power or seeking to amend Promesa in a manner that seems to favor the government or the oversight board, there isn't much the U.S. government can do to eliminate or reduce Puerto Rico's debt stock," Cooper said.

Inside the case, there is a risk that dragging the U.S. into a direct role could be used by creditors to their benefit, Spiotto said. Creative bankruptcy lawyers could "try to argue that the debts of Puerto Rico should be debts of the federal government."

The case is In re Commonwealth of Puerto Rico, 17-03283, U.S. District Court, District of Puerto Rico (San Juan).

Trump Wants To Curtail Flood Insurance In Flood-Prone Areas

By Christopher Flavelle

Bloomberg News, October 5, 2017

President Donald Trump proposed ending federal flood insurance for new homes in areas most at risk of flooding, a change that could curtail new construction in vast parts of Florida, Louisiana and along the Eastern Seaboard.

Trump's plan would radically overhaul the program created in 1968 to help protect homeowners who live along coasts or near rivers. The idea, sent by the White House to Congress, created an unlikely set of responses: Home builders warned it could stifle the economy while climate activists, who have battled Trump, called the idea smart.

On Wednesday Mick Mulvaney, the director of White House Office of Management and Budget, sent a letter to Congress calling for changes to the taxpayer-subsidized National Flood Insurance Program, which is \$25 billion in debt thanks to ever-worsening storms. Mulvaney's proposals included preventing homes built in flood plains after 2020 from obtaining insurance under the program. Those homes could instead seek private coverage, which is often prohibitively expensive – if it's available at all.

The National Association of Home Builders said it strongly opposed the idea, arguing it would "harm local communities and impair economic growth."

"It would simply prevent home builders from being able to provide safe and affordable housing," the association's chairman, Granger MacDonald, said in a statement. "Why does OMB needlessly propose to penalize new construction?"

The federal government provides flood insurance to those at risk through a program that's drawn criticism for subsidizing construction of homes vulnerable to damage or destruction. The White House plan would continue the insurance for existing homes within the 100-year flood plain, but discontinue it for any new homes in those zones. The proposal requires action by Congress, which have struggled to make radical changes to the program.

In addition to curtailing the coverage, the plan would give authority to the Federal Emergency Management Agency to cut-off coverage for properties that flood repeatedly.

Lawmakers face a deadline of Dec. 8 to reauthorize the program, and, as part of an emergency aid package for Puerto Rico, Florida and Texas, Trump asked Congress to write off \$16 billion the program owes the U.S. Treasury.

Congress considered a similar proposal earlier this year, but the provision never made it into legislation, according to Rob Moore, a policy analyst at the Natural Resources Defense Council. "It's really hard to read the tea leaves on this," Moore said.

Still, environmental groups say this is a rare policy idea in which they are in agreement with Trump. "This sends a signal to developers and builders, and people living in flood-risk areas," said Laura Lightbody, director for the Flood-Prepared Communities project at the Pew Charitable Trusts in Washington. "We want less people in harm's way, and less development in these coastal areas and riverine areas."

Lightbody said the change could have another benefit: making it easier for local officials to restrict development along the coast. Tighter rules on flood insurance "gives them political cover to make those decisions," she said.

Elizabeth Thompson, a spokeswoman for the national home builders' group, said building a private flood insurance market will take time.

"Many lenders do not consider private insurance as equivalent or better than the NFIP's coverage and therefore do not accept it," she said in an email. "There are bills in the House and Senate to ease those requirements; however, it may take years for a private market to develop."

In Florida, the change would "absolutely" reduce the number of houses built along the state's coasts and rivers, said Rusty Payton, chief executive of the Florida Home Builders Association.

"It would be a huge deal in Florida," Payton said in a phone interview. "Right now there is not a viable private market" for flood insurance.

House To Consider Disaster Relief Next Week

By Cristina Marcos The Hill, October 5, 2017

The House will vote on legislation next week that would provide billions of dollars in disaster relief to help states and territories recovering from recent hurricanes.

The White House submitted a formal request to Congress on Wednesday for \$29 billion, which includes \$12.8 billion for the Federal Emergency Management Agency and \$16 billion for debt relief for the federal flood insurance program. Another \$576.5 million would be allotted for wildfire recovery.

House Majority Leader Kevin McCarthy (R-Calif.) on Thursday announced that lawmakers would consider the funding while laying out next week's floor schedule. He warned that Congress may have to approve more supplemental appropriations packages in the coming weeks.

"I do not believe this will be the last of the supplementals, based on the damage that has been done from the numerous hurricanes," McCarthy said on the House floor.

House Appropriations Committee Chairman Rodney Frelinghuysen (R-N.J.) also predicted as much on Wednesday, saying in a statement that "this next round of funds certainly won't be all that is needed." Hurricanes Harvey, Irma and Maria ravaged Texas, Florida, Puerto Rico and the U.S. Virgin Islands in recent months.

Congress in early September quickly approved more than \$15 billion in disaster recovery aid in the wake of Hurricane Harvey.

President Trump earlier this week visited Puerto Rico, where residents are still facing widespread power outages and a lack of running water and food supplies since Hurricane Maria hit the island in late September. Lawmakers also enacted a package last week that provides tax relief for people affected by the recent hurricanes.

Disaster victims are now allowed to take money out of their retirement funds without paying early-withdrawal penalties. They can also qualify for a tax credit for 40 percent of wages paid by an employer affected by a storm.

Congress Expected To OK More Hurricane Aid For Puerto Rico

By Deirdre Walsh CNN, October 5, 2017

Congress is expected to take up another disaster aid package to help victims in Puerto Rico, Florida, Texas and the US Virgin Islands still struggling to recover from a string of devastating hurricanes.

The Trump administration sent a request for \$29 billion to House and Senate leaders Wednesday that would give roughly \$13 billion to the Federal Emergency Management Agency and other agencies helping hurricane victims with infrastructure and basic needs. It would also give \$16 billion to increase the borrowing authority for the national flood insurance program so it can continue to cover losses for those whose homes were affected by the storms.

Mick Mulvaney, the director of the Office of Management and Budget, sent a letter detailing the request, saying that the federal response to Hurricanes Harvey, Irma and Maria has been "unprecedented." "With more than 20,000 Federal employees deployed my multiple agencies and working in multiple locations, we need the help of Congress to stabilize the affected communities and replenish dwindling and depleted funds," Mulvaney wrote.

Last month President Donald Trump signed a measure approved by Congress that provided \$15 billion in emergency funding, but GOP leaders noted that they expected there would be additional needs. Congress said they would need to sign off on more federal money for those states and US territories still reeling from the powerful wind and record high flood levels.

Paul Ryan vows that help is coming after hurricane hit Texas.

"This will be a long process, and this next round of funds certainly won't be all that is needed. We will continue to monitor each disaster closely and will work to ensure that both short-term relief and long-term recovery funds are available and are being put to good use for those in need," Rep. Rodney Frelinghuysen, a New Jersey Republican, the chair of the House Appropriations Committee, said after receiving the administration's letter.

Just as Congress readies to approve this second supplemental spending bill for hurricanes, the Texas delegation sent a letter to top House and Senate leaders warning much more will be needed. They asked for another \$18.7 billion to address the damage from Harvey.

The House is expected to approve the \$29 billion measure next week, and a vote on that package in the Senate could come in mid-October, according to several GOP congressional aides.

In the past Republicans have urged spending cuts to cover increased federal funding measures, but one key conservative admitted that in the case of Hurricane relief that was not going to happen.

"Obviously, I would love offsets for any additional spending we have but emergency spending is exactly that – it's emergency, so typically holding out for offsets is not something that's a position that you can maintain for any length of time," North Carolina GOP Rep. Mark Meadows, the chair of the conservative House Freedom Caucus, told reporters on Thursday.

The administration also asked for more than \$575 million as part of the same bill to combat wildfires in Western states.

A Hurricane Maria 'Tech Brigade' Is Helping Connect The Puerto Rican Diaspora Motherboard, October 5, 2017

A few days after Hurricane Maria ravaged the island of Puerto Rico, the Acupedi pediatrician's office in Trujillo Alto, a few miles outside of central San Juan, opened its doors for newborns and infants. The office had no power and no water.

Alberto Colón Viera, who lives with his wife in Washington, DC, received a call from his wife's aunt, who runs the office with her husband. The office's generators weren't working, she explained.

"She told me, 'It's really hot. We've had a lot of babies, and we've had newborns, and we've had a lot of patients visiting the office,'" Colón-Viera told me. "She gave us a bunch of her codes for us to talk to Honeywell, to see if we could override the error code and try to turn them on."

Colón-Viera called the appliance company that produced the generators, and the company provided override sequences it claimed should turn the generators on. Three days after texting the codes to his wife's aunt, Colón-Viera received a email from her. They didn't work.

"That was the last thing I heard from them," Colón-Viera said. "I wasn't successful, but at least I tried. I don't know how to measure success, how to characterize success."

"We are not focusing on traditional relief efforts."

Colón-Viera is one of the members of a group of over 200 coders, computer scientists, and Silicon Valley entrepreneurs calling themselves the Maria Tech Brigade, who believe that relief efforts after Hurricane Maria need to be approached from a different perspective. Namely, by developing technologies for people connected to Puerto Rico.

The Brigade does eventually want to extend these technologies to people in Puerto Rico. For instance, member Jesús Luzon is working on developing low-cost solar panels for people without power. But initiatives like these are in their beginning stages, and the Brigade's most notable success so far might be its community.

Many members, like Colón-Viera, have family in Puerto Rico. Some of them have been able to contact their loved ones, while some have not.

Froilan Irizarry, an engineer for code.gov and one of the founders of the Brigade, told me that the group will exist for as long as it's needed. "We are not focusing on traditional relief efforts," Irizarry said. "We feel that there are numerous efforts led by people with more experience than us that are taking care of this."

Organizing via Slack and GitHub, the Brigade created a person-finder database with almost 11,500 entries, a 'Conteca Maria' SMS tool that uses Twilio, and a website with maps and information for donations and advocacy.

Some members of the Brigade work for tech giants like Google, Facebook, and Amazon, which has its benefits. For instance, one Google employee facilitated access to the Person Finder API, allowing entries to be added in large groups rather than one-by-one.

The Brigade has had some success. Reddit user retrodreamer told me in a private message they were able to use the SMS tool to contact their uncle. "[My family] said they got the message from the site along with my text messages," retrodreamer said. "They went to a different part of Puerto Rico and were able to get cell service to call me back."

However, most of Puerto Rico is a telecommunications dead zone. The US territory, home to 3.4 million people, has power available to less than 5 percent of its people and phone service available to less than 40 percent. In essence, most people on this Caribbean island have no way of getting in touch with family and friends in the continental US.

The Brigade isn't alone in its approach to hurricane relief. Last Friday, Mark Zuckerberg announced that Facebook will be donating ads targeting users in Puerto Rico in order to deliver emergency information. With some of the world's best resources at its fingertips, it's worth addressing the capabilities and limits to online modes of disaster relief. Why organize online?

Hours before Maria was scheduled to make landfall, Miguel Rios, a senior manager at Twitter, reached out to Froilan Irzarry.

Rios, who was just finishing his paternity leave, knew Irzarry from their work with Startups of Puerto Rico, a nonprofit association that connects Puerto Rican startups and entrepreneurs with one another. "Froilan and I were talking on Twitter private messages, 'Hey, we should do something,'" Rios said. "We already had the Startups of Puerto Rico Slack [network]. We just made a new channel called #maria and said, 'Hey, we're gonna organize here. If you have dealt with this kind of response before, or if you just care, have some time for organizing."

Before Maria made landfall, the Slack #maria channel only included Rios, Irizarry, and a few existing members of the Startups of Puerto Rico Slack. But in the hours after the storm, it became apparent that the storm had had a devastating impact.

Members of the #maria channel that are based in Washington, DC, which include Irizarry and Colón-Viera, tried to organize on-the-ground efforts on Friday, September 22.

Rios does not live in Washington, DC, but he knows Carlos Mercander, the Director of the Puerto Rico Federal Affairs Administration (PRFAA), a non-electoral office that works with policy affecting Puerto Rican citizens.

"I sent [Mercander] a Twitter DM saying, 'Hey, I know you guys have a lot on your plates, I just want to tell you that we're here to help.' [Mercander] gave me a call from his DC office—he explained the situation there and what they needed."

Colón-Viera said that they spent the weekend modeling donation data until about 10 or 11 PM each night. On Monday, September 25, the group left their contact information with the PRFAA and offered more assistance if needed. They say they haven't heard from the PRFAA since.

"We haven't been on the site," Colón-Viera said. "I wish we could do more."

The PRFAA's website provides information for prospective volunteers, but according to Rios, the PRFAA has been overwhelmed with phone calls and emails from people who have not heard from friends and family in Puerto Rico.

In essence, not all help can be accepted.

"There's about 1.2 million Puerto Ricans in the US, and a lot of them are trying to find their loved ones," Rios said. "The last time I heard from [the PRFAA], they had received about 100,000 calls, and I can't image how many emails." Tools of the Brigade

While in-person efforts proved to be a dead end, the #maria Slack channel was taking off. Members had been spreading links to join the channel on Facebook and Twitter.

Irizarry created a Google Form to organize the group's skill set, which enabled the Brigade to expand into multiple projects.

One of these projects was Snail-Check, a tool that enables people to confirm when a missing person has been spotted in Puerto Rico, and for family and friends to check if a person has been located.

Snail-Check was authored and managed by Rios. But after being launched on September 22, the tool quickly spread. Person entries have been as high as 500 in a single day, according to Rios. Without the ability to import information in bulk, Rios couldn't keep up with the entries for the first two days that Snail-Check was live.

In response, a Google employee in the Brigade reached out to their colleagues, and Google offered its People Finder API key on September 24, free of cost. Google's API allows for person entries to be imported into the database in bulk rather than one-by-one, allowing Snail-Check to accept all valid entries.

"Every once in awhile, we just feel super powerless."

Rios said that Snail-Check is populated with information from a group of about 60 volunteers, government officials, and shelters in Puerto Rico. These volunteers submit people's names to the Brigade after verifying their safety.

According to its entries counter, Snail-Check has cataloged the safety of almost 11,500 people as of October 3. "Now, the [PRFAA] can do other things instead of answering the phone all day," Rios said. "We created the technology to help without disrupting the operation."

However, relief crews in Puerto Rico have had notorious difficulty in reaching all parts of the Island. In fact, the military only recently mobilized its tactical hospitals to Puerto Rico. People who live in rural areas inaccessible by roads are less likely to be included in the database than those who live in the San Juan metropolitan area. Meanwhile, Brigade members Miguel Vacas and Fernando Arocho created a website called Diasporicans, which they describe as a central resource hub for the Puerto Rican diaspora.

On September 21 Diasporicans went live as an open-source site, meaning it has no concrete ties with a particular group. According to a note on the Diasporicans home page, its relationship with the Brigade is as a "collaborator," allowing it to feature tools produced by the group like a Puerto Rican map of operating cell towers, the "Conecta Maria" SMS tool, and Snail-Check.

Screengrab of map of antennas in Puerto Rico. (Key: red – more than 85 percent of municipalities without service; yellow – 85 – 40 percent; green – less than 40 percent.) Image: Jason Schwarz/Github Vacas told me that he constructed a bare-bones version of the website in a feverish six-hour window shortly after Maria blew through, but he was hesitant to publish. Vacas was using a free service from Heroku, a cloud-based hosting service for websites and web apps, but the free service wasn't equipped for high visitor volumes and could easily crash.

Vacas consulted with Arocho, who suggested to publish the site and prepare it for more visitors later if necessary.

"The website has been continuously iterating," Vacas said. "When it came out, it was a one-pager. Then when I shared the page with the early group of The Maria Tech Brigade, they started suggesting more and more features to be included—some would give us new maps, others new data to put up."

In addition to maps of FEMA, USPS, and shelter locations, the current version of Diasporicans also encourages advocacy. There is a permanent link to find your local representative, and on September 28, Vacas also installed a temporary button to tweet #OurHomeNeedsUs, a hashtag designed to pressure FEMA administrator Brock Long to intensify relief efforts.

"We constantly try to remind ourselves what's our goal here, what's our angle?" Vacas said. "Do we want to distribute information? Do we want to let people know about the donation centers? People may not agree with us when we did the Twitter button, but that puts pressure on people."

Vacas said that in seven days, Diasporicans accumulated 21,000 views and began crashing frequently. In response, Arocho redesigned the website, and Heroku donated \$250 to provide three months of its professional services for free. According to Vacas, Diasporicans has been running smoothly ever since. Despite the expansion, the Diasporicans community remains small enough to consider promoting individual cases.

"Not too long ago, late at night, I received a message from a girl who said, 'Look, I'm using Google [Person] Finder, but my dad isn't located there,'" Vacas said. "She said, 'He has arthritis, he has a heart condition, and I can't get a hold of him. He lives in a part of Puerto Rico that doesn't have any signal."

Vacas said that he told her to call the PRFAA hotline. He also said that with her permission, Diasporicans's Facebook and Twitter accounts could distribute her father's information. The woman provided permission, and a Twitter user responded with confirmation that the father had been seen safely.

"For us, it's important for people to feel like they're getting helped," Vacas said. "Even even if it's one person, that's good enough for me." The limits of code

Ultimately, the Brigade highlights the limits to approaching disaster relief with code and information systems. Its members are painfully aware that they are missing a key audience: people currently in Puerto Rico.

"We're trying to help from here, and we can spend hours writing some code—every once in awhile, we just feel super powerless," Rios said. "We need to learn when to act and when to wait. Right now, most of what we can do is very constrained by the fact that we just can't connect with people."

However, the Brigade represents a community, not just an inventory of talent. According to Irizarry, this is most evident when people make contact with family in Puerto Rico.

"There's a lot of people who have been able to hear from their family members," Irizarry said. "We all celebrate in the channel, and everybody gets rowdy and energized about it because we're all in the same boat. But some people still don't know about their family members."

Irizarry and Rios both heard from their families, but the scarcity of gas on Puerto Rico separates conversations over multiple days.

"It's my Mom's birthday today, and it's probably the first one since I have memory that I won't even be able to say happy birthday to her," Rios said the day we spoke. "The thing is, that feels like a very small thing given everything else that's going on."

FEMA Proposes Partnering With States To Prepare Before Disasters

By Laura Lightbody

Pew Charitable Trusts, October 5, 2017

Weeks after Hurricane Irma made landfall in South Florida, it's clear that the storm ranks among the most destructive to hit the state. More than a dozen people died, millions went without power, and it caused an estimated \$25 billion to \$35 billion in damage to insured properties in affected states, including Florida.

But Irma was no anomaly for the state. In 1992—before Ivan, Frances, Charley, Wilma, and Matthew—there was Hurricane Andrew, the costliest hurricane on record at the time. It destroyed more than 25,000 homes, causing an estimated \$26.5 billion in damage, and left more than 160,000 people homeless. In response, officials rewrote the state's building codes, making them the toughest in the nation. New homes since then have been designed to better withstand hurricanes such as Irma.

But as memories of Andrew have faded, so too have its lessons. This year, the state passed a new law that untethers Florida's building code from international standards, making it possible for the Florida Building Commission to weaken it.

It is clear that stronger buildings and other mitigation efforts pay off. A study this year by Florida's emergency management division found that \$19.2 million spent on 40 such projects completed before Hurricane Matthew struck in 2016—including raising buildings, improving drainage, and buying and demolishing properties in vulnerable areas—averted more than \$81 million in likely damage. A Federal Emergency Management Agency (FEMA) report also found that homes built with the stronger codes after Andrew performed better than older housing.

To persuade states to replicate such efforts, FEMA is proposing incentives: In exchange for preparedness activities such as mandating stronger building codes, establishing a disaster savings fund, and using tax incentives for mitigation, states would be eligible for more federal funds to rebuild roads and schools after a flood. States that don't take action would shoulder more recovery costs. FEMA sought public comment on its proposal earlier this year, and the new FEMA administrator, Brock Long, recently indicated support for the concept.

Research shows that mitigation measures save \$4 for every \$1 invested. Nevertheless, from 2005 to 2014, the federal government spent \$277 billion on disaster assistance but far less—just \$600 million—on a FEMA-run program that helps communities make improvements to better withstand future storms. It is now extending disaster assistance to communities affected by Irma and hurricanes Harvey and Maria. Damage and economic costs from all three storms are estimated to exceed \$250 billion.

There has never been a greater need for communities all over the country to plan and prepare for their next flood event. Hurricane season continues through November, and the National Oceanic and Atmospheric Administration has predicted as many as 19 named storms in the Atlantic. Irma demonstrated that Florida is in the crosshairs, but it's not alone.

With a solution already on the table, the federal government should advance the state preparation credit proposal to help create safer, less vulnerable communities from Florida to Washington state. Laura Lightbody directs The Pew Charitable Trusts' flood-prepared communities initiative.

Should Uncle Sam 'Send In The Marines' After Hurricanes?

Associated Press, October 6, 2017

Disasters like Hurricane Harvey's floods in Houston and Hurricane Maria's devastation of Puerto Rico's roads and power grid can quickly overwhelm civilian authorities and emergency responders. Military support can make a life-or-death difference in those emergencies.

As scholars at the U.S. Naval War College and Harvard Humanitarian Initiative, we have seen that the military can have a profound and positive impact on the immediate response to large-scale disasters such as Hurricanes Harvey, Irma and Maria or the Haiti earthquake in 2010.

But soldiers, sailors, marines and aviators are primarily trained to fight, not feed disaster victims. When they report for humanitarian duties, it typically costs far more than when civilians handle them. Does their muscle actually go to good use?

Why deploy the military

Nonprofits like the Red Cross and government agencies like FEMA simply don't have the equipment required following disasters like the one unfolding in Puerto Rico – where millions of people may lack power and clean drinking water for months.

Only the military can promptly dispatch the ships and planes required to move people, supplies and fuel. It has the electrical generators, water purifiers, bulldozers and lift equipment for search and rescue operations, debris removal and reconstruction.

At the same time, many military personnel also report that aid missions are good for morale, as countless service members take pride in doing disaster relief.

Having soldiers or sailors airlift people from their flooded homes or distribute hot meals is also great public relations at a time when the U.S. military is engaged in several unpopular and protracted conflicts abroad.

Domestic limits

While military missions can fill critical gaps in response to large-scale natural disasters like Hurricanes Harvey, Irma and Maria, there are also significant limits to the military's ability to jump in.

For one, there are laws restricting U.S. military operations on U.S. soil. The Posse Comitatus Act of 1878 prohibits active duty military personnel from engaging in civilian law enforcement, although the National Guard may be deployed in some circumstances.

Also, under a law known as the Stafford Act of 1988, the Department of Homeland Security may request military assistance as a last resort in major disasters and emergencies.

These restrictions have loosened up a little since the 9/11 terrorist attacks, granting the military and National Guard more leeway to support domestic counterterrorism operations. These changes made it easier for the military and National Guard to respond to the recent hurricanes.

But there are no such legal restrictions on how the U.S. military may respond to foreign disasters, as long as host governments request help or consent to it.

A common call

According to the Center for Naval Analyses, a federally funded defense research center, the U.S. military divertedunits from "routine" operations to conduct humanitarian assistance operations 366 times from 1970 to 2000, compared with 22 times for combat missions.

Since 2000, the U.S. armed forces have conducted many massive humanitarian operations around the globe, such as responding to the 2004 Indian Ocean earthquake and tsunami and the 2015 Nepal earthquake, as well as Superstorm Sandy and Hurricane Katrina at home.

Given how frequently the military undertakes these missions, preparing for them should be a high priority. But that is not the case. With few notable exceptions, soldiers, sailors, marines and aviators spend little if any time training for disaster-response strategies, tactics, policies and procedures.

Concerns

When the same people fight wars and distribute food to people in distress, it can quickly blur the lines, exposing aid workers to attack.

That is why aid workers for nonprofit organizations like Doctors Without Borders and Oxfam have expressed concerns about what they see as a growing "militarization" of humanitarian relief that endangers their own safety and hinders their effectiveness.

There is also the high cost of having boots on the ground doing civilian work.

Consider what happened when the U.S. military responded rapidly after the 2010 earthquake in Haiti that left 220,000 people dead, 300,000 injured and 1,500,000 people displaced. More than a third of the total of US\$1.12 billion in U.S. aid – \$453.5 million – covered the costs of military transport, personnel and supplies.

According to estimates by Aruna Apte at the Naval Postgraduate School and Keenan Yoho at Rollins College, the U.S. spent more than \$17 million just to operate a single aircraft carrier nearby for 17 days — not counting personnel costs.

Aircraft carriers are essentially floating airfields that make it easier to access otherwise impossible-to-reach areas, facilitating evacuations. Although they can dispatch critical food, water and medicine, there are usually better ways to deliver aid after disasters.

For context, that \$17 million could have covered the cost of all of the humanitarian organization Save the Children's health programs in Haiti between 2010 and 2012.

Finding the balance

Despite the big price tag, military involvement in disaster relief is bound to grow. That's because global humanitarian organizations are already stretched thin by competing needs.

Conflict-driven migration is growing, and severe storms are becoming more common as a result of climate change – along with the higher sea levels scientists say it is causing.

Meanwhile, the Trump administration wants to cut civilian government spending while boosting the Pentagon's budget.

But we believe it would be a huge mistake for the government to rely primarily on the armed forces in the aftermath of disasters.

The military's unique capacity can be incredibly useful in the short term. Yet even when its help is most needed, these deployments should be brief and tailored.

Other than in the immediate aftermath of the biggest emergencies, the government should activate civilian emergency responders and humanitarian aid groups instead of sending the Marines.

- Julia Brooks, Harvard University and David Polatty, US Naval War College

(The Conversation is an independent and nonprofit source of news, analysis and commentary from academic experts.) This article was originally published on The Conversation. Read the original article here: http://theconversation.com/should-uncle-sam-send-in-the-marines-after-hurricanes-84547. Copyright 2017 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

Storm Tracker: Nate Aims For New Orleans And May Threaten Florida Panhandle Associated Press, October 5, 2017

Newly formed Tropical Storm Nate was blamed Thursday for at least 17 deaths across Central America as it dumped rain across the region on a path that would carry it toward a potential landfall on the U.S. Gulf Coast as a hurricane over the weekend. Louisiana officials ordered some residents to evacuate.

The U.S. National Hurricane Center said the storm could cause dangerous flooding by dumping as much as 15 to 20 inches of rain on Nicaragua, with higher accumulations in a few places.

It had maximum sustained winds of 40 mph at midday Thursday and was likely to strengthen over the northwestern Caribbean Sea on Thursday night and Friday before a possible strike on the Cancun region at the tip of Mexico's Yucatan Peninsula.

In Nicaragua, Nate's arrival followed two weeks of near-constant rain that had left the ground saturated and rivers swollen. Authorities placed the whole country on alert and warned of flooding and landslides. Nicaraguan Vice President Rosario Murillo said at least 15 people had died in that country due to the storm. She didn't give details on all the deaths, but said two women and a man who worked for the Health Ministry were swept away by a flooded canal in the central municipality of Juigalpa.

The government closed schools nationwide.

Costa Rican President Luis Guillermo Solis blamed two deaths on the storm. Flooding drove 5,000 residents into emergency shelters.

In Louisiana, officials ordered the evacuation of part of coastal St. Bernard Parish, east of New Orleans, ahead of the storm. Earlier Thursday, a voluntary evacuation was called in the barrier island town of Grand Isle south of New Orleans.

New Orleans officials outlined steps to bolster the city's pump and drainage system. Weaknesses in that system were revealed during summer flash floods.

The storm was centered about 50 miles northwest of Puerto Cabezas, Nicaragua, and was moving northwest near 9 mph.

The forecast track showed the storm could brush across the tip of the Yucatan Peninsula late Friday night and then hit the U.S. Gulf Coast as a hurricane by Sunday morning. Forecasters said hurricane conditions were possible in Mexico on Friday night.

In the Pacific, meanwhile, former Tropical Storm Ramon dissipated off the southwest coast of Mexico. Copyright 2017 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

Gov. John Bel Edwards: Don't Take Tropical Storm Nate Lightly; 'People Need To Be Prepared' Baton Rouge (LA) Advocate, October 5, 2017

Gov. John Bel Edwards is urging Louisiana residents to brace for Tropical Storm Nate, which is projected to hit the Gulf Coast this weekend, possibly at hurricane strength.

"If we get exactly what's forecasted, it's going to be serious," Edwards said in a news conference Thursday after a briefing with top emergency officials.

Nate is forecast to make landfall along the Gulf Coast as a hurricane late Saturday or early Sunday morning. The National Hurricane Center has warned that it could bring strong wind, a sizable storm surge and heavy rainfall from Louisiana to the Florida panhandle. As Edwards issued his warning, the Hurricane Center announced that it anticipated a hurricane watch would be issued for parts of the Gulf Coast overnight.

"Residents in these areas should monitor the progress of Nate and heed any advice given by local officials," the Hurricane Center warned.

Edwards has declared a state of emergency in anticipation of Nate's landfall, and he said he will call on President Donald Trump to also make a pre-landfall declaration for the state.

Louisiana residents are being urged to "be where they want to be" at 8 p.m. Saturday so that they don't risk getting caught in severe weather, Edwards said.

"Anybody who is taking this storm lightly is making a serious mistake," he said. "People need to be prepared for this. They need to be paying attention."

Edwards has already been in contact with federal leaders, including Federal Emergency Management Agency administrator Brock Long, and taking part in regular updates as the storm approaches the Gulf.

FEMA is already dealing with a catastrophic hurricane season that has left nearly 200 people dead in the U.S. Hurricane season runs from June to the end of November but typically peaks between August and October. Louisiana had prepared to be struck by Hurricane Harvey prior to its landfall last month, but a last-minute shift redirected it primarily toward Texas.

"We've had a number of threats this hurricane season and we have been blessed when Harvey went left (to Texas) and Irma went right (to Florida)," Edwards said.

Nate developed into a tropical storm early Thursday morning then skirted along portions of the coast of Central America, on track to hit the Yucatan Peninsula late Friday. More than a dozen deaths have already been attributed to the storm.

Edwards has mobilized about 1,300 National Guardsmen in anticipation of Nate, including 15 to assist New Orleans, which has been struggling with flooding amid issues with the city's pump system. Edwards said that Louisiana residents should heed the advice of their local leaders about any specific issues or concerns.

New Orleans Mayor Mitch Landrieu declared a state of emergency for the city Thursday.

"Our job is always to plan for the worst and hope for the best," Landrieu said during a news conference. New Orleans went through significant flooding issues during rainstorms three times this year, because the city's pumping and drainage system had been operating at a diminished capacity. Leaders are still working to repair the damaged pumps and turbines, with 108 of the 120 active as of Thursday. The National Guard troops being sent in will act as spotters to help address any issues that arise.

Deadly Tropical Storm Nate Gathers Strength, Expected To Hit U.S. As Hurricane By Doug Stanglin And Doyle Rice USA Today, October 5, 2017

Tropical Storm Nate drenched Central America with heavy rain Thursday, killing 22 people as it tracks toward a likely U.S. landfall this weekend as a hurricane.

Nate is forecast to reach the northern Gulf Coast at hurricane strength this weekend before making landfall early Sunday somewhere between southeast Louisiana and the Florida Panhandle, bringing the threat of wind, storm surge and heavy rainfall.

As of 5 p.m. ET, Nate was located over eastern Honduras, roughly 425 miles southwest of Cozumel, Mexico. The storm was moving northwest at 9 mph, packing maximum sustained winds of 40 mph. By late Friday, Nate is expected to approach the east coast of the Yucatan peninsula, where a hurricane watch is in effect. A tropical storm warning is in effect for portions of Nicaragua and Honduras. Up to 30 inches of rain is forecast in Nicaragua, which could lead to life-threatening flash floods and mudslides, the National Hurricane Center said.

In Nicaragua, 15 people have died in flooding across the country. And Costa Rica's President Luis Guillermo Solis blamed two deaths in that country on Nate. Flooding there drove 5,000 residents into emergency shelters.

In Nicaragua, the storm's arrival followed two weeks of near constant rain that left the ground saturated and rivers swollen. Authorities placed the whole country on alert and warned of flooding and landslides.

Heavy rainfall is also forecast in portions of Honduras, Costa Rica and Panama through Friday night. Officials in Louisiana, including Gov. John Bel Edwards and New Orleans mayor Mitch Landrieu planned to meet Thursday afternoon to discuss preparations. Grand Isle, La., on a barrier island south of New Orleans, called for a voluntary evacuation.

"Since the system will be moving over very warm waters, we could quickly have a powerful hurricane on our hands," said AccuWeather meteorologist Dan Kottlowski.

The hurricane center's map shows a cone of the storm's probable path extending from southeast Louisiana to a western portion of the Florida Panhandle. That would spare areas hardest-hit by Hurricanes Irma and Harvey.

The storm popped up rather quickly, unlike recent Hurricanes Harvey, Irma and Maria built steam over the wide Atlantic for weeks before hitting land.

But that isn't unusual this time of year: Fall storms like Nate, which formed in the Caribbean, tend to pop up quickly, making them harder for forecasters to track, said Jack Cullen of the National Weather Service in Mobile, Ala.

"Any changes in track are more impactful because (Caribbean storms) are closer to land. The time scale is shorter and you have less time prepare," he said. But Caribbean storms can be just as deadly as those that form off the African coast, said Cullen.

Some good news once the storm moves inland is the beneficial rain it could bring to the interior eastern U.S. next week, potentially easing abnormally dry and building drought conditions in some spots, AccuWeather meteorologist Brett Rathbun said.

After Nate, the Atlantic basin, which includes the Caribbean Sea and Gulf of Mexico, could yield one more major hurricane, a Category 3 or stronger, Kottlowski said.

AccuWeather projected a total of 17 tropical storms, including 11 hurricanes, in the Atlantic by the time the hurricane season officially ends Nov. 30.

WeatherTiger: Nate Rapid Intensification Before Landfall Looks Less LikelyBy Ryan Truchelut
USA Today, October 5, 2017

In a rare concession to decency utterly uncharacteristic of the 2017 hurricane season, the news regarding Nate is cautiously optimistic.

Nate's favored track has moved to the west, and while the storm continues to be a serious threat to the central Gulf Coast — with the area between Lafayette, La., and Pensacola, Fla., at greatest risk — there are signs that rapid intensification before landfall is less likely.

As of 5 p.m. ET Thursday, the National Hurricane Center placed the center of Tropical Storm Nate inland over eastern Honduras, moving northwest at 10 mph with sustained winds of 40 mph. Nate strengthened slightly in the past 24 hours, but its overall organization hasn't changed much.

The storm still consists of a broad area of convective banding east of the center and a relatively weak core of central convection. Nate has spent more time over land on Thursday due to a westward jog early in the morning, and as such is having trouble separating itself from the broad background circulation over Central America. So, while Nate will move back out over water tonight, structurally it's not in any better position to intensify quickly than it was 24 hours ago when it does.

There have been some significant changes in the forecast in the last day, as you can see comparing Wednesday and Thursday's NHC official tracks, which has been revised several hundred miles further west. Two reasons for this: first, a midlevel low over the eastern Gulf of Mexico is moving more west than north. This means rather than weakening a developing high-pressure ridge and allowing Nate to come more east, that low will slide into the western Gulf Friday and pull Nate further west.

As the evolution of that upper low has come into focus, there is better model consensus on a track across the eastern Yucatan peninsula Friday night, and towards the eastern Louisiana, Mississippi and Alabama coastal region early Sunday. Further track adjustments are possible, but I think the biggest jumps are behind us at this point.

I'm a little suspicious of Nate possibly hooking northeast just before landfall, as fronts like the one that will finally sweep Nate inland on Sunday often move a little faster than predicted. Two hurricane hunter aircraft sampled the environment ahead of Nate Thursday afternoon, and those observations should improve forecasts.

The other change is that Nate is accelerating. It's already moving a little faster than forecast, and is now likely to race across the Gulf of Mexico in as little as 36 hours. At that clip, Nate simply isn't going to have as long of an opportunity to strengthen before landfall, especially given the potential for more land interaction with the Yucatan on Friday.

With a very dry midlevel air mass to Nate's west and the system's loose organization at present, an asymmetric strong tropical storm or category 1 hurricane at landfall, as shown by the NHC's forecast, looks appropriate. SHIPS intensity modeling is still very aggressive with elevated chances of rapid intensification, but that guidance does not factor in land interaction or the true complexity of the environment. This year being this year, I don't want to downplay or disregard the potential for rapid intensification Friday or Saturday, but it is looking less likely than Wednesday.

It's still early to be talking precise impacts, but given a central Gulf Coast landfall, Tallahassee and the Big Bend region of Florida are likely to see enhanced rain chances over the weekend and potentially some coastal flooding concerns with the southerly fetch. Somewhere in the swath from western Florida to eastern Louisiana is likely to take a direct hit of hurricane force winds and surge impacts to the coastline along and east of the

center, and damaging gusty winds for inland Mississippi and Alabama as Nate accelerates northeast are also likely.

Central Louisiana and west, including Lafayette, will probably see modest direct impacts unless the track shifts, as Nate's west side is likely to be relatively weak.

The bottom line is that Nate remains a potentially dangerous storm threat, and everyone along the northern Gulf Coast should be watching it carefully over the next few days. As always, be prepared to put your disaster plan into action in case today's relatively favorable turn doesn't continue into the weekend.

A Day Before Caribbean Trip, Pence Meets Newly Arrived Puerto Ricans In Orlando By Anita Kumara

McClatchy, October 5, 2017

Some of Florida's newest arrivals — Puerto Ricans fleeing the broken island after Hurricane Maria — got a high-profile visit Thursday from Vice President Mike Pence, who will head to San Juan on Friday. "Don't go to San Juan — go inside the country," urged Everlinda Burgos, who landed at Orlando International Airport at 11:30 a.m. Thursday and met Pence less than six hours later. "That's where the disaster is. There's towns you can't get into. They have no communications."

"We're going to work every part of Puerto Rico," Pence said.

Burgos told the vice president that her son, who was unable to find a flight until November, remains in Puerto Rico. After she landed Thursday, she went to an airport relief center, one of three Florida Gov. Rick Scott's administration opened earlier this week to assist evacuees. Some had tears in their eyes as Pence went by.

"You'll be here. You'll be fine," Pence told Burgos. "Then you'll be able to go back home. There's no place like home."

Then, with her permission, he gave her a hug.

Pence is scheduled to travel to Puerto Rico and U.S. Virgin Islands on Friday as part of the White House's push to draw attention to Maria's devastation and the administration's recovery efforts. The vice president will meet with Puerto Rican Gov. Ricardo Rosselló, Virgin Islands Gov. Kenneth Mapp, visit churches in both locations and take an aerial Virgin Islands tour.

President Donald Trump went to Puerto Rico on Tuesday, a memorable trip in which — among other things — he tossed paper towels to hurricane victims gathered to collect emergency supplies. Trump never made it out of San Juan, so he missed seeing the worst of Maria's destruction.

At the Orlando airport Thursday, Pence got a private briefing the Federal Emergency Management Agency. Later, he headed to the Iglesia de Dios in Kissimmee, the city at the heart of Central Florida's robust Puerto Rican community. About 1 million Puerto Ricans live in Florida; as of Tuesday, some 6,000 had arrived since Maria hit Puerto Rico on Sept. 20, according to the state.

Pence touted the federal response by rattling off the latest figures: 15,000 federal workers are in Puerto Rico, 11.5 million means and 8 million liters of water have delivered, and three-quarters of open gas stations have reopened, he said. Before leaving, Pence, his sleeves rolled up, stopped by the church parking lot and helped load bottles of Nestlé water and boxes of food onto a large yellow truck.

"Florida's generosity is inspiring to me," he said.

Pence was joined by his wife, Karen; Florida's two U.S. senators, Democrat Bill Nelson and Republican Marco Rubio, and Puerto Rican resident commissioner Jenniffer González-Colón. Gov. Scott couldn't make it because he was in Tallahassee preparing for Tropical Storm Nate, which could become a hurricane and swipe the Florida Panhandle later this week.

"Florida's response to Hurricane Irma set a standard for the nation, and Florida's response to the people of Puerto Rico and the U.S. Virgin Islands is setting another standard of what it means to be neighbors," Pence said at the church, which partnered with other ministries for a donation drive to help Puerto Rico that collected 15 trucks worth of goods and 150 generators.

"I say, from the bottom of my heart: muchas gracias."

Miami Herald staff writer Patricia Mazzei contributed to this report from Miami.

Much Of Puerto Rico Has No Running Water – And The Problem Is Not Just Cleanliness By Tim Johnson

McClatchy, October 5, 2017

In households across Puerto Rico, water has become a precious commodity. Stored in jars, bottles and tubs, it is the once-overlooked essential that now occupies full attention in daily life.

Water is used and reused. And its scarcity means that for many Puerto Ricans, their bodies, their homes and their clothes are not as clean as they would like.

"The majority of our colleagues are washing their clothes in a creek," said Linaida Santiago Arroyo, a nurse at a kidney dialysis center.

Limited water particularly dismays Santiago because she has two young children, an infant only four months old and a 4-year-old boy, "and I don't want them getting sick."

"We don't have enough water to clean things up. There's mud. There's garbage that they still haven't picked up," she said. "It can attract insects that then come closer to the house."

Since Hurricane Maria lashed Puerto Rico two weeks ago, knocking out the water system for more than half the island's 3.4 million people, every drop does double duty.

"When I bathe the baby, I use the same water to flush the toilet," Santiago said.

As the island thirsts for more water, medical experts say it is one of the factors that make them deeply concerned over a possible spike in infectious diseases in coming weeks. Nine out of 10 homes on the island still have no electricity, meaning fans and air conditioning units aren't available to stave off pesky mosquitos carrying illness in the storm's aftermath.

The Federal Emergency Management Agency says 64 of the island's 68 hospitals are open, but Gov. Ricardo Rosselló said Thursday only 25 are hooked up to the power grid. Others have generators and rely on erratic diesel supplies and suffer occasional breakdowns.

"Their generators aren't meant to last weeks and months on end. They need fuel. They need logistics support," said Navy Capt. Kevin Buckley, commanding officer of medical facilities aboard the USNS Comfort, a massive naval hospital ship that arrived in San Juan earlier this week and sailed for Ponce on the island's southern coast Thursday.

Some 11,000 U.S. military personnel have come to Puerto Rico in the wake of Hurricane Maria, and convoys of military vehicles carrying pallets of bottled water and meals are visible in the interior. Mosquito control units deployed in six municipalities, officials said, and five temporary biomedical waste stations have been set up.

Gov. Rosselló said that while relief workers have taken food, water and other assistance across the island, a few hamlets may not have learned that assistance was near. With limited phone service and electricity, news of assistance does not always travel over across hillsides.

"We keep hearing about people who haven't received food and water," Rosselló said, adding that the reports are not often substantiated. "This continues to be a big worry. It is always a priority to identify how to deliver more resources and water."

For those who are in good health, water shortages amount to simply a nuisance.

"I was telling my wife yesterday, I would like to take a shower. For a week and a half, I've been bathing with a gallon of water," said Victor Rivera Suarez, who works at the San Miguel drugstore in Naranjito that his family has operated for six decades.

But for those suffering illness, the stakes are higher.

For one thing, many drug stores operate with small generators and without internet connections. Cashiers cannot check the computer system for the health plans of patients who come demanding medicines. The patients must pay cash and seek reimbursement on their own.

A middle-school teacher deployed temporarily to Naranjito as part of a National Guard call-up, Luis Cuevas Serrano, told of a teen-ager in his hometown who cut his chin severely in an accident earlier this week. His mother took him to see an emergency-room doctor.

"By the time he was going to do surgery, the power went off. The doctor told the mother, I cannot do surgery. It needs to be in a sterile area and there is no light," Cuevas said.

At kidney dialysis centers, supplies of both water and diesel fuel to run generators are critical — immediately sustain lives.

The medical director at the Fresenius Kidney Care branch here, Dr. Lillian Borrego, a nephrologist, said her center was shut down only one day after the storm. Some patients receive less dialysis care treatment than is ideal, she said, to stretch diesel and water supplies.

"If you have residual renal function, you might get by a little longer," she said. "I'm at the mercy of the water supply."

While the kidney dialysis center limps along, families of patients face their own challenges getting gasoline to bring loved ones for their three-times-a-week dialysis, she said.

Even so, the broader health challenges worry her.

"My concern right now would be public health, hygiene, getting the garbage picked up," she said, adding that rumors about deaths in remote areas continue to circulate. "I've heard horror stories. And so far, the official [death] count is 34."

Authorities hope the arrival of the USNS Comfort will help ease problems at hospitals around the island. The hospital ship has one of the largest trauma facilities in the United States and is equipped with three operating rooms, 50 ICU beds along with another 200 other beds, and some 500 medical personnel. Two MH-60 helicopters sit on its landing-pad deck.

"We can essentially handle anything other than cardiopulmonary bypass like, you know, for heart surgeries," said Naval Capt. Kevan Mann, a general surgeon aboard the vessel.

The ship will treat patients and also provide services to other hospitals such as refilling tanks for medical-grade oxygen and re-sterilizing hospital gear, Buckley said.

By early Thursday, the ship's staff had treated 64 patients, and medical personnel expected to see many others with chronic conditions, such as diabetes, hypertension and lung problems.

"If they can't get access to medical care, or their medicines or their doctors, they may have some issues two or three weeks out," said Buckley, an emergency room physician. "Obviously, as loss of the fruits of civilization, such as clean water and running water, obviously you worry about, two weeks out, things like dysentery."

Puerto Rico's Tourism Workers Are Rushing To Fill Recovery Jobs

By Hui-Yong Yu , Jordyn Holman , And Monte Reel Bloomberg News, October 6, 2017

Aliana Acevedo isn't collecting a paycheck, because the Ritz-Carlton hotel in San Juan, Puerto Rico, is shut indefinitely. She's trying to get a job with the Federal Emergency Management Agency, a lifeline for the battered island's tourism industry in more ways than one.

More than 13,000 federal government workers who were dispatched to Puerto Rico for hurricanes Irma and Maria are filling the open hotels — sometimes three to a single room. For those that remain shuttered, the agency is giving idled employees hope until tourists return to the U.S. territory's beaches, rain forests and colonial Spanish beauty.

"I just need a job," said Acevedo, 25, a waitress at the hotel's Mares restaurant, explaining that she had only \$800 in cash. "It's making me anxious. I'll do whatever. "

The recovery after this year's devastating hurricane season, which is already a slow period for hotels, is providing a welcome, if temporary, boost for a tourism industry worried about its future. The federal government's hotel reimbursement rate of \$167 a night in San Juan, which rises to \$195 during high season, can last only so long. FEMA deployments are typically for 30 days, though they can be extended.

Hurricane Harvey's aftermath gave Houston's hotels a similar boost. They went from being the worst performers through July this year to leading the nation in occupancy and revenue growth since the cyclone made landfall Aug. 26.

In Puerto Rico, federal personnel are staying not only in hotels, but on cots at the convention center, in sheds and on ships. The work force is still swelling.

On Sunday, Rosario de Liriano spent her day stopping people on the streets of Fajardo who looked like they might work for FEMA in hope of landing a job. Before the storm, she owned a small business on the island of Vieques. She came to Puerto Rico's northeast corner because she thought she'd have a better chance of tracking down information.

Such job-seekers have shaped the agency's workforce for years. "Many FEMA employees started as local hires in their own states following a declared disaster," Corey Coleman, a FEMA officer, wrote in an email.'All Gone' The jobs are needed more than ever. Tourism in Puerto Rico is almost "all gone, certainly, through the first quarter, if not the first half of 2018," said Martin Rapp, a senior vice president at Altour International Inc., a New York travel agency.

Bookings to Puerto Rico are down about 20 percent since hurricanes Harvey, Irma and Maria began in late August, said Donna Cheek, an agent with Bentley Hedges Travel in Oklahoma City. "We do a lot of cruise business and people are concerned about whether or not Puerto Rico is going to be a port of call for them," Cheek said.

The drop-off comes amid a broader economic crisis. Puerto Rico in May sought protection from creditors in the largest insolvency of any U.S. municipality, \$74 billion. The situation has been deteriorating since 1996, when the repeal of a corporate tax break caused manufacturing and investment to decline and younger people to leave the island. Average weekly wages in Puerto Rico are about half the U.S. average, according to the Bureau of Labor Statistics.GDP Driver.

Travel and tourism, much of it from the U.S. mainland, contributes about 3 percent of Puerto Rico's gross domestic product and employs about 21,000 workers, according to the World Travel & Tourism Council in London. Together with indirect benefits, such as investment spending and domestic purchases by businesses dealing with tourists, the impact is about 8 percent of GDP, the lowest among the Caribbean islands.

The island became a destination for Americans with the 1949 opening of the Caribe Hilton Hotel. It was the first Hilton property outside the continental U.S. and – at least according to its website – the birthplace of the pina colada.

Hilton Worldwide Holdings Inc. is continuing to pay workers at its Puerto Rican properties until business insurance kicks in, spokesman Nigel Glennie said. McLean, Virginia-based Hilton employs about half the roughly 3,400 people who work at its nine properties; the rest work for third-party management companies. "Although our Puerto Rico properties are not currently accepting new reservations, there remains plenty of work for our team members to do," including gathering donations, packing food and water being delivered by barge, and tending to emergency personnel, Glennie said.

Storm Survivors

About 600 people from FEMA, the FBI, the Red Cross and other organizations have been staying at the Wyndham Grand Rio Mar Beach Resort & Spa in Rio Grande, an hour's drive from San Juan along the coast. Having escaped serious structural damage, the most pressing problem has been cleaning up water seepage, said general manager Nils Stolzlechner.

Because of the arrival of relief workers, the resort, which is running on generator power, has remained at 100 percent staffing.

"Generally speaking, we've been very lucky," Stolzlechner said. Nine holes of the golf course should be open by Saturday, with the other nine back in business about three weeks later.

On Tuesday afternoon, it was possible to linger in the resort's Margaritaville vacation club and encounter few signs of distress. A small cadre of off-duty workers sat at the fully stocked tiki bar and watched about a dozen people swim in the pools on either side, most of them guests who endured the storm and hadn't secured an exit from the island.

"I'm extremely hopeful we'll have a strong winter," though rebuilding the power grid and other long-term economic challenges remain, said Stolzlechner. "Tourism will be okay. It's just all the other stuff."

— With assistance by Jonathan Levin, and Katherine Burton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF INSPECTOR GENERAL

October 5, 2017

MEMORANDUM

Amended Project Notification: **SUBJECT:**

Audit of EPA's Adherence to Policies, Procedures and Oversight Controls

Pertaining to the Administrator's Travel

Project No. OA-FY17-0382

John Trefry, Director, Forensic Audits
Office of Audit FROM:

TO: David Bloom, Acting Chief Financial Officer

The Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA) plans to expand the scope of preliminary research on the EPA's adherence to policies, procedures and oversight controls pertaining to the Administrator's travel, which was originally focused on his travel to Oklahoma through July 31, 2017. The scope of our review is expanded to include all travel by the Administrator through September 30, 2017. Our revised objectives will be to determine the following:

- The frequency, cost and extent of the Administrator's travel through September 30, 2017.
- Whether applicable EPA travel policies and procedures were followed for Administrator Pruitt's travel, as well as other EPA staff and security personnel traveling with or in advance of Administrator Pruitt.
- Whether EPA policies and procedures are sufficiently designed to prevent fraud, waste and abuse with the Administrator's travel.

To accomplish these objectives, we will review supporting documentation and conduct interviews with management and staff to determine whether the EPA followed applicable policies and practices, and complied with federal requirements. The OIG plans to work with the EPA's Cincinnati Finance Center and the Office of the Chief Financial Officer to obtain needed information. Applicable generally accepted government auditing standards will be used in conducting our work. The anticipated benefits of this project are to improve operational efficiency.

We will contact the audit coordinator to arrange a mutually agreeable time to discuss our revised objectives. We would also be particularly interested in any areas of concern that you may have. We will answer any questions you may have about the project process, reporting procedures, methods used to

gather and analyze data, and what we should expect of each other during the course of the project. Throughout the project, we will provide updates on a regular basis through a monthly meeting or via email, phone or video conference.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978 to have timely access to personnel and all materials necessary to complete its objectives. We will request your resolution if an agency employee or contractor refuses to provide requested records to the OIG, or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the Administrator and include the incident in the Semiannual Report to Congress.

I will supervise the project and the Project Manager will be Angela Bennett. Should you or your staff have any questions, please contact me at (202) 566-2474 or trefry.john@epa.gov, or Angela Bennett at (404) 562-9844 or bennett.angela@epa.gov.

cc: Scott Pruitt, Administrator

Ryan Jackson, Chief of Staff

Henry Darwin, Chief of Staff for Operations

Kevin Chmielewski, Deputy Chief of Staff for Operations

Kevin Minoli, Acting General Counsel

Troy Lyons, Associate Administrator for Congressional and Intergovernmental Relations

Liz Bowman, Associate Administrator for Public Affairs

Julia Valentine, Acting Director, Office of Media Relations, Office of Public Affairs

Howard Osborne, Associate Chief Financial Officer

Jeanne Conklin, Controller, Office of the Chief Financial Officer

Bobbie Trent, Agency Follow-Up Coordinator

Ellen Treimel, Audit Follow-Up Coordinator, Office of the Administrator

Arthur A. Elkins Jr., Inspector General

Charles Sheehan, Deputy Inspector General

Alan Larsen, Counsel to the Inspector General

Kevin Christensen, Assistant Inspector General for Audit

Carolyn Copper, Assistant Inspector General for Program Evaluation

Patrick Sullivan, Assistant Inspector General for Investigations

Edward Shields, Acting Deputy Assistant Inspector General for Management

Richard Eyermann, Deputy Inspector General for Audit

Jennifer Kaplan, Deputy Inspector General for Congressional and Public Affairs

Jeffrey Lagda, Congressional and Media Liaison, Office of Inspector General

Tia Elbaum, Congressional and Media Liaison, Office of Inspector General

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 10/5/2017 1:12:09 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Konkus,

John [konkus.john@epa.gov]

Subject: Story on Smart Sectors

Another example:

Why is this relevant:

EPA to work in partnership with industries it regulates

By michael biesecker, associated press
 WASHINGTON — Oct 4, 2017, 12:48 PM ET

The head of the Environmental Protection Agency says his staff will now work in close partnership with industries the EPA regulates.

EPA Administrator Scott Pruitt says he'll revive a Bush-era program to maintain an open dialogue with American businesses. Pruitt says the collaboration will boost the economy while delivering "better environmental outcomes."

The EPA's announcement includes statements from industry leaders praising the initiative, including chemical manufactures, pesticide makers, electric utilities and oil and gas producers.

At the EPA, Pruitt has worked to delay or roll back numerous Obama-era limits on air and water pollution. Pruitt also has said he's unsure about the consensus of climate scientists that man-made carbon emissions are the primary cause of global warming.

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Sent: 10/4/2017 12:17:52 AM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Re: FYI --

See below

Sent from my iPhone

On Sep 29, 2017, at 2:43 PM, Wilcox, Jahan < wilcox.jahan@epa.gov > wrote:

From: Wilcox, Jahan

Sent: Friday, September 29, 2017 2:32 PM

To: Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: FW: Pruitt flights on non-commercial aircraft

Julie -

Is there a reason why you have decided not to reply to our emails?

We have made it abundantly clear that we will work with the Associated Press, just not Michael Biesecker. Also since we are on this topic, why did the AP fire Bob Lewis, Dena Potter and Norman Gomlak for 1 incorrect story regarding Hillary Clinton's Terry McAuliffe but rally around Michael Bisecker despite his repeated and deliberate mistakes against EPA Administrator Scott Pruitt and other Republican officials.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 29, 2017 2:18 PM **To:** Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>> **Cc:** Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>

Subject: FW: Pruitt flights on non-commercial aircraft

Jahan,

Is there a reason why you can't just provide AP the same documents you've provided to others? Seems like you guys would want to appear as transparent as possible on this.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, September 29, 2017 2:08 PM

To: Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: Pruitt flights on non-commercial aircraft

We can confirm that E&E News' reporting is accurate: https://www.eenews.net/assets/2017/09/28/document_daily_04.pdf.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 29, 2017 1:54 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Pruitt flights on non-commercial aircraft

Do you have a total cost for the four flights?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, September 29, 2017 12:47 PM

To: Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

Everything that was reported by Fox News' John Roberts was accurate and this should answer every question: https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be

In terms of repayment, you can use this statement: "If a reimbursement was necessary for official government travel, the EPA's Ethics Office would have told us during the approval process and we would've acted accordingly," — EPA spokeswoman Liz Bowman said

Finally, if you are looking for the letters from our ethics office, we are directing you to Politico's Playbook (September 28, 2017) and can confirm their reporting was accurate: "-- AN EPA OFFICIAL emailed us the authorization memos from the EPA's general counsel's office for the flights Pruitt

took: http://politi.co/2fBCgUV ... http://politi.co/2k3xZuG ...http://politi.co/2hyaNnD."

Have a great weekend!

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 29, 2017 12:07 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Press < Press@epa.gov >

Subject: Pruitt flights on non-commercial aircraft

Liz,

In a Tweet Wednesday night, you said Administrator Pruitt has only taken one charter flight and three flights on government aircraft.

We are aware of the charter flight to Colorado and the military flight to Cincinnati. Could you please provide the dates, departure and destination for the two other government flights you cited.

Also, HHS Secretary Price now says he will repay the treasury for his share of the private charter flights he made at taxpayer expense. Can you provide an explanation for why the administrator declined a seat on Gov. Hickenlooper's plane for the Colorado flight? Is Pruitt giving any consideration to repaying a portion of that flight?

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Henderson, Dedre [Henderson.Dedre@epa.gov]

Sent: 10/2/2017 4:30:30 PM

To: Henderson, Dedre [Henderson.Dedre@epa.gov]
Subject: Environmental Headlines October 2, 2017

Environmental Headlines - prepared by the Region 8 Librarians - October 2, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

COLORADO

Judge dismisses Rocky Flats refuge lawsuit that called site a health hazard http://www.denverpost.com/2017/09/30/rocky-flats-lawsuit-dismissed/

Group rallies against plans to open Rocky Flats National Wildlife Refuge outside Capitol http://www.denverpost.com/2017/09/30/rocky-flats-protest-saturday/

Lafayette warned against oil, gas drilling moratorium http://www.denverpost.com/2017/09/30/lafayette-oil-gas-drilling-moratorium/

The state of Earth's climate: Boulder-based atmospheric chemist gives quick diagnosis http://www.denverpost.com/2017/09/28/earth-climate-noaa/

Prescribed burns planned this fall for Garfield County

http://www.postindependent.com/news/local/prescribed-burns-planned-this-fall-for-garfield-county/

An Absent EPA Climate Report, And A Tale Of Two Flooded Superfund Sites http://www.kunc.org/post/absent-epa-climate-report-and-tale-two-flooded-superfund-sites

Trump administration swaps 'climate change' for 'resilience'

http://www.westernslopenow.com/news/politics/trump-administration-swaps-climate-change-for-resilience/821727880

Weld County oil and gas spill report for Oct. 2

http://www.greeleytribune.com/news/local/weld-county-oil-and-gas-spill-report-for-oct-2/

MONTANA

Butte-Silver Bow health director to request EPA work on West Side Soils, health risks http://mtstandard.com/news/local/butte-silver-bow-health-director-to-request-epa-work-on/article_c574c07d-287d-5b9b-9cdd-66b5f2eaf5c7.html

Opinion: Government horror story to top all: West Side Soils, shrinking EPA and the soundproof booth

http://mtstandard.com/opinion/opinion-government-horror-story-to-top-all-west-side-soils/article_162e02b2-4e1b-5cf0-915e-4ed525458cb4.html

Give EPA the tools it needs to do its job in Montana (editorial)

http://missoulian.com/opinion/editorial/give-epa-the-tools-it-needs-to-do-its-job/article 97c09df0-a502-5f4f-9266-5ea323199908.html

Fighting to keep Colstrip fired up (opinion)

http://mtstandard.com/opinion/editorial/fighting-to-keep-colstrip-fired-up/article_110f8751-4c8e-57c6-8cad-750eeaf4b223.html

Bees are buzzing, but less than they should be

http://missoulian.com/news/local/bees-are-buzzing-but-less-than-they-should-be/article_bf197176-c11c-566e-a103-37fb148090f2.html

Cabinet Gorge coal spill cleanup all but complete

http://missoulian.com/news/local/cabinet-gorge-coal-spill-cleanup-all-but-complete/article_700e8082-d5ce-52b3-bdc0-676b9974bb99.html

The Future of Climate in Montana

http://flatheadbeacon.com/2017/09/28/future-climate-montana/

Climate Change is Real: What Then Should We Do? (letter)

http://flatheadbeacon.com/2017/10/01/climate-change-real/

Company ordered to pay Idaho tribes for toxic waste storage

http://mtstandard.com/news/national/company-ordered-to-pay-idaho-tribes-for-toxic-waste-storage/article 9816d075-36d1-58cb-b431-a288296be965.html

Courts grant The Lower Yellowstone Irrigation Project right to appeal

http://www.sidneyherald.com/news/court-grants-lyip-right-to-appeal/article_c3f3981c-a569-11e7-b170-0b6f0d0d4978.html

AP-NORC poll: Americans want local leaders to fight warming

http://missoulian.com/news/national/govt-and-politics/ap-norc-poll-americans-want-local-leaders-to-fight-warming/article e71d4f98-33c3-5db3-82ae-4c462a1f2027.html

NORTH DAKOTA

Trump told Iowa he'd save ethanol. His EPA chief has other ideas

http://www.inforum.com/news/4335737-trump-told-iowa-hed-save-ethanol-his-epa-chief-has-other-ideas

UTAH

Are wild horses, sage grouse clashing in Utah's western desert

https://www.deseretnews.com/article/865689953/Are-wild-horses-sage-grouse-clashing-in-Utahs-western-desert.html

Op-ed: Navajo leaders should focus on the real issues

https://www.deseretnews.com/article/865689921/Op-ed-Navajo-leaders-should-focus-on-the-real-issues.html

Cameco to resume radioactive waste shipments

https://the-journal.com/articles/67325

Health officials need more funds to keep toxic algal blooms out of Utah waters http://www.standard.net/Environment/2017/09/28/Public-health-officials-need-more-funds-to-keep-toxic-algal-blooms-out-of-Utah-waters.html

Moab watershed study completed

http://www.moabsunnews.com/news/article_582e256a-a3e9-11e7-8478-3b0535ae2eeb.html

BLM lifts fire restrictions in Utah's western desert

https://www.deseretnews.com/article/865689868/BLM-lifts-fire-restrictions-in-Utah7s-western-desert.html

Trash dumping on public lands prompts campaign

http://www.thespectrum.com/story/news/2017/09/28/trash-dumping-public-lands-prompts-campaign/713581001/

WYOMING

A Labor of Love: Coal mining continues despite unsettling trends

http://trib.com/business/energy/a-labor-of-love-coal-mining-continues-despite-unsettling-trends/article_abfa3732-04c6-56bd-b1d8-367ead44e618.html

NATIONAL

Scientists may have found a solution to the atmosphere's methane mystery

https://www.washingtonpost.com/news/energy-environment/wp/2017/09/29/scientists-find-that-belching-cows-could-solve-a-key-mystery-about-the-atmosphere/?utm_term=.6166d4134bd7

Rick Perry just proposed sweeping new steps to help struggling coal and nuclear plants

https://www.washingtonpost.com/news/energy-environment/wp/2017/09/29/rick-perry-proposes-sweeping-new-moves-to-support-coal-and-nuclear-plants/?utm_term=.dd5b2d706bc9

EPA Says Dioxins Might Have Washed Downriver During Harvey

https://www.nytimes.com/aponline/2017/09/30/us/politics/ap-us-harvey-toxic-sites-underwater.html

U.S. Energy Head Seeks Help for Coal, Nuclear Power Plants

https://www.nytimes.com/reuters/2017/09/29/us/29reuters-usa-powergrid-perry.html

Feds Move Forward on Asking States to Track Car Emissions

https://www.nytimes.com/aponline/2017/09/28/us/ap-us-tracking-car-emissions.html

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 10/2/2017 3:57:05 PM

To: Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: EPA says dioxins might have washed downriver during Harvey, 10/2/17

This is clearly done in coordination with the other article from this am, but we need to be sure to gather facts, timelines, etc. so that we can point out any/all inaccuracies to the editors.

https://apnews.com/41da16c16c2b446fbeed2b1a060ee6de/EPA-says-dioxins-might-have-washed-downriver-during-Harvey'

EPA says dioxins might have washed downriver during Harvey

WASHINGTON (AP) — The Environmental Protection Agency says an unknown amount of a dangerous chemical linked to birth defects and cancer may have washed downriver from a Houston-area Superfund site during the flooding from Hurricane Harvey.

EPA said Thursday night it has ordered the companies responsible for the San Jacinto River Waste Pits site to immediately address damage to a protective cap of fabric and rock intended to keep sediments highly contaminated with dioxins from spreading. The companies, International Paper and the Waste Management subsidiary McGinnis Industrial Maintenance Corp., have made initial repairs to the underwater section of the cap where the protective rock was missing.

EPA said a sample collected by an agency dive team from the exposed area showed dioxin levels at 70,000 nanograms per kilogram — more than 2,300 times the level set to trigger a cleanup. Dioxins do not dissolve easily in water but can be carried away with any contaminated sediments and deposited over a wider area.

Residents in nearby neighborhoods that flooded during the storm are now worried contaminated mud might have been washed into their homes, said Jackie Young, a local environmental advocate.

"For years we've told the EPA it's not a matter of if this area is struck by a hurricane but when," said Young, executive director of Texas Health and Environment Alliance. "The scary part about this is we have no way of knowing where all the contaminated material was carried by Harvey's floodwaters."

At least one dozen Superfund sites in and around Houston were flooded last month in the days after Harvey's record-shattering rains stopped. Associated Press journalists surveyed seven of the flooded sites by boat, vehicle and on foot, including San Jacinto. The EPA said at the time that its personnel had been unable to reach the sites, though they surveyed the locations using aerial photos.

The San Jacinto River Waste Pits Superfund site is on and around a low-lying island that was home to a paper mill in the 1960s. The site was completely covered with roiling floodwaters when the AP surveyed it on Sept. 1.

About 16 acres of the site were covered in 2011 with an "armored cap" of fabric and rock intended to contain the contamination until it can be removed as part of a proposed \$97 million cleanup plan. The cap was designed to last for up to 100 years, but it has required extensive repairs on at least six occasions in recent years, with sections becoming displaced or going missing.

In its statement, EPA did not disclose precisely when the damage to the cap from Harvey was first discovered. AP observed a dive team working from a boat over an underwater section of the site on Sept. 13. Workers began using heavy machinery to add layers of rock to the cap the week after the storm.

EPA said additional testing will now be needed to determine whether the contamination spread and to ensure that the exposed waste material is isolated.

Despite EPA's statement affirming that contaminated materials were exposed by the storm, International Paper and McGinnis said in a statement that "no evidence exists that there was any release of waste material to the environment as a result of Hurricane Harvey."

"The assessments also demonstrate that the existing armored cap performed well," the companies said.

San Jacinto is at least the second Houston-area Superfund site where contaminated materials may have been spread by Harvey's flooding. AP reported Sept. 18 that three separate spills were reported from flooded tanks at U.S. Oil Recovery, a former petroleum waste processing plant contaminated with a dangerous brew of cancer-causing chemicals.

EPA Administrator Scott Pruitt has called cleaning up Superfund sites a top priority, even as President Donald Trump's proposed 2018 budget seeks to cut money for the program by 30 percent. Following AP's reporting on flooding at Texas Superfund sites, Pruitt flew to Houston and visited the San Jacinto site.

The was not notified about Pruitt's visit and was not able to attend or observe, but Pruitt spoke afterward to a local Fox affiliate.

"When you have a temporary situation like this, when you take rock and put in on top of a site to secure it, you have a big enough storm, something like this, that could cause a disruption of that rock and a release could occur," Pruitt said.

The San Jacinto River empties into Galveston Bay, where state health officials have long advised against regularly consuming fish and shellfish due to contamination from dioxins and PCBs.

Elena Craft, a health scientist with the Environmental Defense Fund in Austin, said EPA has been "woefully inadequate" in assessing environmental health risks as a result of Harvey. She called the prospect of a breach at San Jacinto a worst-case scenario.

"Dioxin is one of the most toxic substances known to man," Craft said. "They were slow to collect any samples, they made inappropriate statements on health risks before having any scientific evidence, and have not provided enough information on risks for anyone within the local communities to make informed health decisions."

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 9/29/2017 4:48:24 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov];

Hewitt, James [hewitt.james@epa.gov]

From: Wilcox, Jahan

Sent: Friday, September 29, 2017 12:47 PM

To: Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: Pruitt flights on non-commercial aircraft

Julie -

Everything that was reported by Fox News' John Roberts was accurate and this should answer every question: https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be

In terms of repayment, you can use this statement: "If a reimbursement was necessary for official government travel, the EPA's Ethics Office would have told us during the approval process and we would've acted accordingly," – EPA spokeswoman Liz Bowman said

Finally, if you are looking for the letters from our ethics office, we are directing you to Politico's Playbook (September 28, 2017) and can confirm their reporting was accurate: "-- AN EPA OFFICIAL emailed us the authorization memos from the EPA's general counsel's office for the flights Pruitt took: http://politi.co/2fBCgUV ... http://politi.co/2k3xZuG ...http://politi.co/2hyaNnD."

Have a great weekend!

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 29, 2017 12:07 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov >

Subject: Pruitt flights on non-commercial aircraft

Liz,

In a Tweet Wednesday night, you said Administrator Pruitt has only taken one charter flight and three flights on government aircraft.

We are aware of the charter flight to Colorado and the military flight to Cincinnati. Could you please provide the dates, departure and destination for the two other government flights you cited.

Also, HHS Secretary Price now says he will repay the treasury for his share of the private charter flights he made at taxpayer expense. Can you provide an explanation for why the administrator declined a seat on Gov. Hickenlooper's plane for the Colorado flight? Is Pruitt giving any consideration to repaying a portion of that flight?

Thanks,

Michael



Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key

ASSOCIATED PRESS

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Graham, Amy [graham.amy@epa.gov]

Sent: 9/26/2017 6:00:29 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: FW: EPA Hurricane Maria Update for Monday, September 25

Nancy – Do we have information about how many people are on the ground in Puerto Rico?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, September 26, 2017 1:25 PM

To: Press < Press@epa.gov>

Subject: FW: EPA Hurricane Maria Update for Monday, September 25

AP is reporting on the ground in PR about the crisis with access to drinking water. Are there any EPA folks on the ground there yet they could talk to? If not, is there an ETA for when they will arrive?

Thanks,

Michael

From: EPA Press Office [mailto:noreply-subscriptions@epa.gov]

Sent: Monday, September 25, 2017 5:28 PM

To: Biesecker, Michael

Subject: EPA Hurricane Maria Update for Monday, September 25



CONTACT: press@epa.gov

EPA Hurricane Maria Update for Monday, September 25

WASHINGTON (September 25, 2017) - U.S. Environmental Protection Agency (EPA) continues to coordinate closely with federal, commonwealth, territory, and local partners as the Agency responds to the impact of Hurricane Maria. EPA is supporting the Federal Emergency Management Agency (FEMA) through its assistance to the governments of Puerto Rico and the U.S. Virgin Islands (USVI). EPA is focused on environmental impacts and potential threats to human health caused by Hurricane Maria, as well as the safety of those in the affected areas.

About 100 personnel are currently involved in hurricane response efforts.

EPA's six-person water assessment team arrived in St. Croix on September 24, and have begun coordinating with the USVI Department of Planning and Natural Resources to assess drinking water and wastewater treatment facilities. The EPA team has the ability to perform basic testing of drinking water. EPA's Region 2 Emergency Operations Center was able to get some generators shipped on September 23 to the USVI to help get the USVI labs back on line to perform water testing.

Four portable reverse osmosis drinking water treatment units from the Department of Defense have arrived in the USVI and could be used to provide drinking water as needed. The USVI Water and Power Authority is working to get all drinking water systems energized, and as that process proceeds, they will coordinate closely with EPA and FEMA to use the four treatment units as needed.

Assessment teams made up of On-Scene Coordinators (OSCs), Remedial Project Managers (RPMs), technical assistance contractors, and public information officers continue to deploy to Puerto Rico. Preparations are underway to re-assess Superfund and oil sites in Puerto Rico and the USVI as part of the EPA re-deployment plan.

For more information, visit: www.epa.gov/hurricane-maria.

###

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 9/20/2018 8:41:33 PM

To: Block, Molly [block.molly@epa.gov]

CC: Jones, Enesta [Jones.Enesta@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov];

Daguillard, Robert [Daguillard.Robert@epa.gov]

Subject: Re: Open Inquiries, 9/20/18

Yes and they are moving thx

Sent from my iPhone

On Sep 20, 2018, at 4:35 PM, Block, Molly < block.molly@epa.gov > wrote:

PFAS response is good. All hurricane goes to Nancy and John.

From: Jones, Enesta

Sent: Thursday, September 20, 2018 4:32 PM

To: Konkus, John <konkus.john@epa.gov>; Block, Molly

Slock.molly@epa.gov>; Hewitt, James

<a href="mailto:hewitt.james@epa.gov; Abboud, Michael abboud.michael@epa.gov>

Cc: Jones, Enesta < Jones. Enesta@epa.gov >; Lynn, Tricia < lynn.tricia@epa.gov >; Daguillard, Robert

<<u>Daguillard.Robert@epa.gov</u>>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>

Subject: Open Inquiries, 9/20/18

Included Pebble Mine inquiries (as a FYI) with the full understanding that we are holding on those until further notice.

Three Awaiting Approval:

From: "Marraccini, Davina" < Marraccini. Davina@epa.gov >

Date: September 20, 2018 at 4:15:36 PM EDT

To: Press <Press@epa.gov>, EOC Public Information <EOC_Public_Information@epa.gov>

Cc: "Coleman, Kerisa" < <u>Coleman.Kerisa@epa.gov</u>>, "Lincoln, Larry" < <u>Lincoln.Larry@epa.gov</u>>, "Bryant, Kyle" < <u>Bryant.Kyle@epa.gov</u>>, "McDonald, Jason" < <u>Mcdonald.Jason@epa.gov</u>>, "Harris-Young, Dawn"

<a href="mailto: Harris-Young.Dawn@epa.gov, "Pinkney, James" Pinkney.James@epa.gov>

Subject: Second News & Observer inquiry

Good afternoon,

I fielded a second inquiry from the same reporter at the News & Observer today. The response below was vetted with the EOC and is good to go.

EPA Region 4
News & Observer (Raleigh, NC)

Category: Community water systems affected by Florence

Date: September 20, 2018

Site name and location: Hurricane Florence Response News Outlet: News & Observer (Raleigh, NC)

Reporter Inquiry:

Ms. Carlie Brosseau with the News and Observer in Raleigh, North Carolina, contacted EPA today, September 20th, at 2:21 p.m., regarding community water systems effected by Florence.

Reporter Contact Info: Carlie Brosseau (971) 409-5622, <u>cbrosseau@newsobserver.com</u>.

Deadline: Unkown

Proposed Response:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Jones, Enesta

Sent: Thursday, September 20, 2018 2:52 PM

To: Press < Press@epa.gov >

Subject: For Review: Netflix Documentary (Erin Cauchi) re PFAS in drinking water (DDL: 9/21)

CLARIFICATION REQUEST: Your answer appears to address only PFOA and PFOS. Given your link to the Community Engagement meetings over this summer and your webpage that says "The Agency is continuing to gather information about other PFAS" is it correct to infer that the EPA *is* actively evaluating PFAS?

Deliberative Process / Ex. 5

CLARIFICATION REQUEST: I do not see any advisories for PFASs on the link you provided which says "These health advisories are specifically for PFOA and PFOS and do not apply to other perfluoroalkyl substances (PFASs)." Is the answer "no"?

Deliberative Process / Ex. 5

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Does this mean there are no rules governing PFASs in drinking water and that no new rules governing PFASs in drinking water are under consideration?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Erin Cauchi [mailto:erin.cauchi@zeropointzero.com]

Sent: Thursday, September 20, 2018 12:09 PM **To:** Jones, Enesta < <u>Jones. Enesta@epa.gov</u>>

Cc: Press < Press@epa.gov >

Subject: Re: Netflix documentary request about PFAS in water

Thank you very much! This is really helpful. Quick follow-up to clarify a couple points that were unclear:

Original QUESTION: Is the EPA currently evaluating PFASs?

CLARIFICATION REQUEST: Your answer appears to address only PFOA and PFOS. Given your link to the Community Engagement meetings over this summer and your webpage that says "The Agency is continuing to gather information about other PFAS" is it correct to infer that **the EPA** *is* **actively evaluating PFAS**?

Original QUESTION: Does EPA have any guidance and/or health advisories specifically relating to PFASs in drinking water?

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Does this mean there are no rules governing PFASs in drinking water and that **no new rules** governing PFASs in drinking water are **under consideration**?

Thanks again, Enesta. I really appreciate your help clarifying this!

From: "Jones, Enesta" < Jones. Enesta@epa.gov > Date: September 20, 2018 at 8:08:26 AM EDT

To: Press < Press@epa.gov >

Subject: Fwd: Inquiry from KSRO - Santa Rosa radio re coal pollution regs

Deliberative Process / Ex. 5

From: Amelia Parreira aparreira@mysonomamedia.com

Date: September 19, 2018 at 6:46:03 PM EDT **To:** "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>

Cc: Press < Press@epa.gov>

Subject: Re: Inquiry from KSRO - Santa Rosa radio re coal pollution regs

Hi Enesta,

Apologies for the late response. We would still like to have a representative from the EPA for either a call-in or in-person radio appearance. Our Afternoon Drive show with Steve Jaxon airs Mondays through Fridays from 3-6 p.m., so if you can send along the best availability during those times, we can schedule you according to your availability. The interview would last between 10 and 15 minutes and would center on the topic of current air pollution policies and how they may or may not affect the future of our environment.

You may either contact me via this email address or you can contact our afternoon producer Mike DeWald at mdewald@mysonomamedia.com. You may also call our offices at (707) 543-0100.

Thank you so much for your response and we hope to hear from you soon!

- Amelia Parreira

No Acknowledgement or Response:

From: "Biesecker, Michael" < MBiesecker@ap.org > Date: September 20, 2018 at 3:46:25 PM EDT

To: "Grantham, Nancy" < Grantham.Nancy@epa.gov>

Cc: "Konkus, John" < konkus.john@epa.gov >, Press < Press@epa.gov >

Subject: RE: Environmental monitoring in NC

Anything?

From: Grantham, Nancy < Grantham.Nancy@epa.gov > Sent: Wednesday, September 19, 2018 6:42 PM
To: Biesecker, Michael < MBiesecker@ap.org >

Cc: Konkus, John < konkus.john@epa.gov >; Press < Press@epa.gov >

Subject: Re: Environmental monitoring in NC

Hi Michael -we are working on getting this information. We may not have anything this evening - however will definitely be in touch early tomorrow

Thanks

Sent from my iPhone

On Sep 19, 2018, at 6:16 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Thanks. It came three minutes ago.

Again, not indication of EPA personnel in the field, beyond meeting with officials in Raleigh. Is it accurate to report they have not yet deployed into the flood zone?

From: Nicholas Harvey [mailto:nicharvey@att.net]
Sent: Thursday, September 20, 2018 3:25 PM

To: Press < Press@epa.gov > Subject: Pebble Mine Comment

Hello,

My name is Nicholas Harvey and I am interested party in the Pebble Mine as well as occasionally writing articles for Seeking Alpha. There has been a lot of discussion in recent days regarding Acting Administrator Wheeler recusing himself from lifting the Pre-Determined Veto set against the Pebble Mine. Can you shed some light on this situation and possibly confirm thoughts on what the agency's plans are at this point regarding Pebble?

Thank you, Nic Harvey 330-417-5354

From: David LaRoss < dlaross@iwpnews.com > Date: September 20, 2018 at 2:03:09 PM EDT

To: Press < Press@epa.gov > Subject: Re: Pebble Mine recusal

Following up on this request from yesterday. I'm planning to write an article for publication by 4:30 that will say stakeholders were told last week that Acting Administrator Wheeler is recused from the Pebble Mine process; any comment or clarification from the agency would be appreciated.

David LaRoss Inside EPA

From: "paulklebo@aol.com" <paulklebo@aol.com>
Date: September 20, 2018 at 12:19:52 PM EDT

To: Press < Press@epa.gov>

Subject: Inquiry

Good afternoon,

I have three questions:

- 1) Bloomberg Environment reported that EPA held meetings with Alaska groups (including BBNC) on Sept 11. Bloomberg article also reported that Alaska groups are stating that they were told at Sept 11 meeting that no PD lift would occur on Pebble. Please confirm.
- 2) Were Mr. Forsgren or Mr. Darwin in attendance at Sept 11 meeting? Has Mr. Darwin met with Alaska native groups in September? His calendar has not been updated. Has Mr. Darwin met with Americans for Tax Reform (ATR) in September regarding Pebble?
- 3) E&E News reported that Mr. Wheeler has recused himself from Pebble matters. Please confirm.

Thanks Paul Lebo

From: Megan Geuss < megan.geuss@arstechnica.com >

Date: September 20, 2018 at 12:34:52 PM EDT

To: Press < Press@epa.gov > Subject: EPA hearing in Denver

Ηi,

I'm a reporter from Ars Technica, a science and technology news site. I was wondering when the EPA will be holding its public hearing in Denver, CO on the new methane rules proposed last week: https://www.epa.gov/newsreleases/epa-proposes-oil-and-gas-targeted-improvements-package-advance-president-trumps-energy

Has a date and time been provided yet?

Thanks,

--

Megan Geuss Staff Editor, Ars Technica Denver, CO (818) 590-4168

From: Jean Chemnick < <u>jchemnick@eenews.net</u>>
Date: September 20, 2018 at 11:53:48 AM EDT

To: Press < Press@epa.gov >

Subject: readout of G-7 ministers meeting?

Hello,

For a deadline of 5:30 I'm writing on the G-7 energy and environment ministers' meeting in Halifax. I'd love a statement on Wheeler's participation, and in particular his views on the chair's summary which cites climate change repeatedly.

Let me know if there's someone in particular I should reach out to.

Thanks.

Jean Chemnick Reporter E&E News international beat 202-446-0429 From: dawn reeves < dawn.reeves@iwpnews.com > Date: September 20, 2018 at 12:39:57 PM EDT

To: Press < Press@epa.gov >

Subject: does EPA have a comment

on the revelation that air chief Bill Wehrum met with a small group of people to at his old firm, Hunton & Williams, to brief them on de-regulatory efforts?

The briefing is online here:

 $\frac{https://www.documentcloud.org/documents/4492721-UARG-Hunton-emails-with-Bill-Wehrum-OAR.html\#document/p5/a429510}{}$

I am writing on this and my deadline is 3 p.m. today, if anyone can help.

Thanks!

Dawn

From: Jones, Enesta

Sent: Thursday, September 20, 2018 12:35 PM

To: Press < <u>Press@epa.gov</u>>

Subject: Fwd: Verifying Meeting Information -- Arkansas Democrat-Gazette

This is very limited info. Not sure how you would like to proceed. Made Region 6 aware for situ.

From: <ewalkenhorst@arkansasonline.com>
Date: September 20, 2018 at 12:05:21 PM EDT
To: jones enesta <<u>Jones.Enesta@epa.gov</u>>

Subject: Re: Verifying Meeting Information -- Arkansas Democrat-Gazette

In Washington, D.C. At headquarters. I don't have any more details other than that and the dates of April 9 or April 10 of this year. I am hoping to verify this meeting by the end of the week.

Thanks,
Emily Walkenhorst
Reporter, Arkansas Democrat-Gazette
o. (501) 399-3601
c. **Ex. 6**

ewalkenhorst@arkansasonline.com

From: Jamie Sudler < jamie@h2oradio.org>
Date: September 20, 2018 at 10:34:23 AM EDT

To: Press < Press@epa.gov > Cc: Frani < frani@h2oradio.org > Subject: President's Award

Good morning,

I understand that the President's Environmental Youth Award is being given tomorrow. Could I please talk to someone about this. I am preparing a story that is related. I am on deadline, but have a day or so.

Thank you very much.

Jamie Sudler

- - -

Jamie Sudler Executive Producer H2O Radio 303.570.6156

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]

Sent: 9/20/2018 8:37:44 PM

To: Block, Molly [block.molly@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]

CC: Lynn, Tricia [lynn.tricia@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]

Subject: RE: Open Inquiries, 9/20/18

Merci. Do you have thoughts on this one?

From: "Jones, Enesta" < Jones. Enesta@epa.gov > Date: September 20, 2018 at 8:08:26 AM EDT

To: Press < Press@epa.gov>

Subject: Fwd: Inquiry from KSRO - Santa Rosa radio re coal pollution regs

Deliberative Process / Ex. 5

From: Amelia Parreira <aparreira@mysonomamedia.com>

Date: September 19, 2018 at 6:46:03 PM EDT **To:** "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>

Cc: Press < Press@epa.gov>

Subject: Re: Inquiry from KSRO - Santa Rosa radio re coal pollution regs

Hi Enesta,

Apologies for the late response. We would still like to have a representative from the EPA for either a call-in or in-person radio appearance. Our Afternoon Drive show with Steve Jaxon airs Mondays through Fridays from 3-6 p.m., so if you can send along the best availability during those times, we can schedule you according to your availability. The interview would last between 10 and 15 minutes and would center on the topic of current air pollution policies and how they may or may not affect the future of our environment.

You may either contact me via this email address or you can contact our afternoon producer Mike DeWald at mdewald@mysonomamedia.com. You may also call our offices at (707) 543-0100.

Thank you so much for your response and we hope to hear from you soon!

- Amelia Parreira

From: Block, Molly

Sent: Thursday, September 20, 2018 4:35 PM

To: Jones, Enesta < Jones. Enesta@epa.gov>; Konkus, John < konkus.john@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>

Subject: RE: Open Inquiries, 9/20/18

PFAS response is good. All hurricane goes to Nancy and John.

From: Jones, Enesta

Sent: Thursday, September 20, 2018 4:32 PM

To: Konkus, John < konkus.john@epa.gov >; Block, Molly < block.molly@epa.gov >; Hewitt, James

<a href="mailto:hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov;

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<Daguillard.Robert@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Open Inquiries, 9/20/18

Included Pebble Mine inquiries (as a FYI) with the full understanding that we are holding on those until further notice.

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Date: September 20, 2018 at 4:15:36 PM EDT

To: Press < Press@epa.gov >, EOC Public Information < EOC Public Information@epa.gov >

Cc: "Coleman, Kerisa" < Coleman.Kerisa@epa.gov >, "Lincoln, Larry" < Lincoln.Larry@epa.gov >, "Bryant, Kyle" < Bryant.Kyle@epa.gov >, "McDonald, Jason" < Mcdonald.Jason@epa.gov >, "Harris-Young, Dawn" < Harris-

Young.Dawn@epa.gov>, "Pinkney, James" < Pinkney.James@epa.gov>

Subject: Second News & Observer inquiry

Good afternoon,

I fielded a second inquiry from the same reporter at the News & Observer today. The response below was vetted with the EOC and is good to go.

EPA Region 4
News & Observer (Raleigh, NC)

Category: Community water systems affected by Florence

Date: September 20, 2018

Site name and location: Hurricane Florence Response News Outlet: News & Observer (Raleigh, NC)

Reporter Inquiry:

Ms. Carlie Brosseau with the News and Observer in Raleigh, North Carolina, contacted EPA today, September 20th, at 2:21 p.m., regarding community water systems effected by Florence.

Reporter Contact Info: Carlie Brosseau (971) 409-5622, cbrosseau@newsobserver.com.

Deadline: Unkown

Proposed Response:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Jones, Enesta

Sent: Thursday, September 20, 2018 2:52 PM

To: Press < Press@epa.gov >

Subject: For Review: Netflix Documentary (Erin Cauchi) re PFAS in drinking water (DDL: 9/21)

CLARIFICATION REQUEST: Your answer appears to address only PFOA and PFOS. Given your link to the Community Engagement meetings over this summer and your webpage that says "The Agency is continuing to gather information about other PFAS" is it correct to infer that the EPA is actively evaluating PFAS?

Deliberative Process / Ex. 5

CLARIFICATION REQUEST: I do not see any advisories for PFASs on the link you provided which says "These health advisories are specifically for PFOA and PFOS and do not apply to other perfluoroalkyl substances (PFASs)." Is the answer "no"?

Deliberative Process / Ex. 5

CLARIFICATION REQUEST: The only mention of PFASs I see is "approximately 5,000 public water systems monitored drinking water for PFOA, PFOS, and four other PFAS between 2013-2015 as part of the third cycle of the Unregulated Contaminant Monitoring Rule (UCMR 3)."

Does this mean there are no rules governing PFASs in drinking water and that no new rules governing PFASs in drinking water are under consideration?

Deliberative Process / Ex. 5

From: Erin Cauchi [mailto:erin.cauchi@zeropointzero.com]

Sent: Thursday, September 20, 2018 12:09 PM **To:** Jones, Enesta < Jones. Enesta@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Re: Netflix documentary request about PFAS in water

Thank you very much! This is really helpful. Quick follow-up to clarify a couple points that were unclear:

Original QUESTION: Is the EPA currently evaluating PFASs?

CLARIFICATION REQUEST: Your answer appears to address only PFOA and PFOS. Given your link to the Community Engagement meetings over this summer and your webpage that says "The Agency is continuing to gather information about other PFAS" is it correct to infer that **the EPA** *is* **actively evaluating PFAS**?

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Thanks again, Enesta. I really appreciate your help clarifying this!

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To: Press < Press@epa.gov>

Subject: Fwd: Inquiry from KSRO - Santa Rosa radio re coal pollution regs

Would you like me to decline and direct her to our recent air press releases: OAR Wrap Up, methane, ACE, biofuels and sorghum? Or just decline?

From: Amelia Parreira <aparreira@mysonomamedia.com>

Date: September 19, 2018 at 6:46:03 PM EDT **To:** "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>

Cc: Press < Press@epa.gov >

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Thank you so much for your response and we hope to hear from you soon!

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To: "Grantham, Nancy" < Grantham.Nancy@epa.gov>

Cc: "Konkus, John" < konkus.john@epa.gov >, Press < Press@epa.gov >

Subject: RE: Environmental monitoring in NC

Anything?

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Cc: Konkus, John <konkus.john@epa.gov>; Press <Press@epa.gov>

Subject: Re: Environmental monitoring in NC

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Thanks

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David LaRoss Inside EPA From: "paulklebo@aol.com" <paulklebo@aol.com>
Date: September 20, 2018 at 12:19:52 PM EDT

To: Press < Press@epa.gov >

Subject: Inquiry

Good afternoon,

I have three questions:

- 1) Bloomberg Environment reported that EPA held meetings with Alaska groups (including BBNC) on Sept 11. Bloomberg article also reported that Alaska groups are stating that they were told at Sept 11 meeting that no PD lift would occur on Pebble. Please confirm.
- 2) Were Mr. Forsgren or Mr. Darwin in attendance at Sept 11 meeting? Has Mr. Darwin met with Alaska native groups in September? His calendar has not been updated. Has Mr. Darwin met with Americans for Tax Reform (ATR) in September regarding Pebble?
- 3) E&E News reported that Mr. Wheeler has recused himself from Pebble matters. Please confirm.

Thanks
Paul Lebo

From: Megan Geuss < megan.geuss@arstechnica.com >

Date: September 20, 2018 at 12:34:52 PM EDT

To: Press < Press@epa.gov>
Subject: EPA hearing in Denver

Ηi,

I'm a reporter from Ars Technica, a science and technology news site. I was wondering when the EPA will be holding its public hearing in Denver, CO on the new methane rules proposed last week: https://www.epa.gov/newsreleases/epa-proposes-oil-and-gas-targeted-improvements-package-advance-president-trumps-energy

Has a date and time been provided yet?

Thanks,

--

Megan Geuss Staff Editor, Ars Technica Denver, CO (818) 590-4168

From: Jean Chemnick < ichemnick@eenews.net > Date: September 20, 2018 at 11:53:48 AM EDT

To: Press < Press@epa.gov>

Subject: readout of G-7 ministers meeting?

Hello,

For a deadline of 5:30 I'm writing on the G-7 energy and environment ministers' meeting in Halifax. I'd love a statement on Wheeler's participation, and in particular his views on the chair's summary which cites climate change repeatedly.

Let me know if there's someone in particular I should reach out to.

Thanks.

Jean Chemnick Reporter E&E News international beat 202-446-0429

From: dawn reeves < dawn.reeves@iwpnews.com > Date: September 20, 2018 at 12:39:57 PM EDT

To: Press < Press@epa.gov>

Subject: does EPA have a comment

on the revelation that air chief Bill Wehrum met with a small group of people to at his old firm, Hunton & Williams, to brief them on de-regulatory efforts?

The briefing is online here:

https://www.documentcloud.org/documents/4492721-UARG-Hunton-emails-with-Bill-Wehrum-

OAR.html#document/p5/a429510

I am writing on this and my deadline is 3 p.m. today, if anyone can help.

Thanks! Dawn

From: Jones, Enesta

Sent: Thursday, September 20, 2018 12:35 PM

To: Press < Press@epa.gov >

Subject: Fwd: Verifying Meeting Information -- Arkansas Democrat-Gazette

This is very limited info. Not sure how you would like to proceed. Made Region 6 aware for situ.

From: <ewalkenhorst@arkansasonline.com>
Date: September 20, 2018 at 12:05:21 PM EDT
To: jones enesta <<u>Jones.Enesta@epa.gov</u>>

Subject: Re: Verifying Meeting Information -- Arkansas Democrat-Gazette

In Washington, D.C. At headquarters. I don't have any more details other than that and the dates of April 9 or April 10 of this year. I am hoping to verify this meeting by the end of the week.

Thanks,

Emily Walkenhorst Reporter, Arkansas Democrat-Gazette o. (501) 399-3601

c. Ex. 6

ewalkenhorst@arkansasonline.com

From: Jamie Sudler < jamie@h2oradio.org > Date: September 20, 2018 at 10:34:23 AM EDT

To: Press < Press@epa.gov > Cc: Frani < frani@h2oradio.org > Subject: President's Award

Good morning,

I understand that the President's Environmental Youth Award is being given tomorrow. Could I please talk to someone about this. I am preparing a story that is related. I am on deadline, but have a day or so.

Thank you very much.

Jamie Sudler

_ _ -

Jamie Sudler Executive Producer H2O Radio 303,570,6156 From: FEMA-ESF15-Coordination [FEMA-ESF15-Coordination@fema.dhs.gov]

Sent: 9/14/2017 10:24:19 PM

Subject: FEMA: Media Analysis Report - DR-4332-TX - Sept. 14, 2017

Attachments: MAReport_DR4332TX_091417.pdf

Media Analysis Report Thurs., September 14, 2017 DR-4332-TX

Hot Issues -

No Hot Issues

Noteworthy issues:

Residents displaced by Harvey headed to Ford Park after berthing barges fail USCG inspection

By Jacque Masse -12NewsNow -September 14, 2017

PORT ARTHUR - Residents in Port Arthur who were displaced by Harvey are now headed to Ford Park after a pair of berthing barges failed coast guard inspection. Jefferson County Judge Jeff Branick told 12News that the new plan is for residents to be housed at Ford Park....

Concerns raised for cemeteries after Hurricane Harvey floods

Houston Chronicle -September 14, 2017

HOUSTON (AP) — Hurricane Harvey floodwaters exposed dozens of caskets at swamped cemeteries in Texas and Louisiana last month, the grim result of shallow graves set in spongy soil, and a scene that may reappear as Florida cleans up after Hurricane Irma. The Dallas Morning News reports most burial sites are undisturbed by flooding. The weight of a cement casing and several feet of soil typically keep graves planted in the ground. But at the Hollywood Cemetery in Orange, Texas, which backs up the flood-swollen Sabine River, and 20 miles north in Starks, Louisiana, more than 20 caskets surged to the surface after Harvey's torrential rains, and some floated away... *Note: although this particular story has not developed into a hot issue, it should be monitored for further development due to the fact that some individuals are asking who is financially responsible for the reburial of the caskets.*

Media Monitoring Trends -

Print/Online -

- The agricultural industry is stressing to multiple print and online media outlets that despite the loss of a few crops and some damaged land, produce is actually faring well in the aftermath of Hurricane Harvey. This is not to say there's no impact, but rather it should be doable to rebound from the disaster.
- The housing, business and hotel industries, on the other hand, tell press teams they have experienced some loss and are worried about the long-term economic effect. To make matters worse, there have been numerous reports of fraudulent activity by strangers, making financial stability a near impossible task.
- Similar to the past few reports, media remains focused on volunteerism and various acts of kindness. Whether highlighting a charity concert or mentioning one truly generous individual, there is a common thread of resilience as flood-ravaged communities continue to push forward and show their determination.

Radio/Television -

Broadcast media's disaster-related coverage continues to touch on a wide variety of topics. Like print media there
are numerous references to volunteerism, but there's also an emphasis on recovery and the difficulties associated
with the rebuilding process.

• The topic of animals continues to surface, but rather than simply focusing on protecting four-legged family members, media is asking residents to pay close attention to flood preparedness tips. Not only are animals vulnerable to the floods, but children and physically challenged adults are as well.

Social Media -

- The conversation as it relates to Hurricane Harvey has increased since earlier in the week due to less real time discussions towards Irma.
- In addition to an increase in conversations surrounding the unemployment rate, there's also an increase in survivors feeling frustrated by the lack of help and the overall recovery process.
- To learn more about today's social media trends, please refer to the Social Listening Report at the end of this document.

Table of Contents -

Houstonians question if the will to change can last as Harvey flooding ebbs. 4

Concerns raised for cemeteries after Hurricane Harvey floods. 6

Residents displaced by Harvey headed to Ford Park after berthing barges fail USCG inspection.. 8

Texas World Speedway Holding Flood Damaged Vehicles from Harvey.. 9

Family leaves damaged home, thankful for safety.. 9

Houston schools damaged by Harvey start the year on unfamiliar campuses. 10

Families finding new homes in San Antonio after Harvey pushed them out. 11

Leaves Returning to Trees Stripped Bare by Hurricane Harvey.. 12

FEMA: Harvey losses could top \$11B.. 13

FEMA exec estimates Harvey payouts could reach \$11B.. 14

FEMA insurance chief: Harvey losses could top \$11 billion.. 15

Deadlines loom for federal assistance for employees, businesses after Harvey.. 16

Ranching structures, cotton mostly damaged by Harvey.. 16

Home sales in Houston take 25 percent hit due to Harvey.. 18

Students affected by Harvey receive free homecoming dresses. 18

Orange County's Hog Day festival raising money for hurricane relief. 20

Houston Bike Share offers free bicycles to people who lost cars to Harvey.. 21

After raising more than \$32 million, J.I. Watt stops taking Hurricane Harvey donations. 21

With \$32M in hand, I.I. Watt sets Friday end to Harvey relief fundraising. 22

Harvey charities raise more than \$350M in less than 3 weeks. 22

Local non-profit collecting donations for Hurricane Harvey victims. 24

Local support for Hurricane Harvey victims continues. 25

Texans Find Hope in Releasing Injured Hawk 'Harvey' Back to Wild.. 26

Orange County's Hog Day festival raising money for hurricane relief. 27

Houston Humane Society gets letter, donation from Donald Trump.. 27

Dog retirement home destroyed by floods. 27

Relief efforts put warehouse space to good use. 29

Mattress Mack continues to give back after Harvey.. 31

Maryland Woman Helps Hurricane Harvey Victim Replace Mother's Mugs. 32

Harris County Attorney Warns Flooded-Out Homeowners about Predatory Contractors. 32

Former Houston newspaper editor's waterlogged body found dead in a sandpit two weeks after Harvey.. 33

A Handful of Stranded H-E-B Employees Powered Through Harvey Together. 34

Hurricane Harvey - Social Listening Report. 37

What Others Are Saying -

Massive floods have swamped Houston before, but Hurricane Harvey is prompting policy makers and residents to assess the environmental and economic impact of natural disasters anew...

"I'm hearing and seeing in newspapers that people are talking about a new normal," said Mary Anne Piacentini, executive director of the Katy Prairie Conservancy in Houston. "It should be a game changer."

... But as the water-logged counties dry out and the billions of federal dollars earmarked for rebuilding Texas begin to flow, people who remember the proposals to build new reservoirs to contain flood waters, or a dike to protect the Houston Ship Channel refineries, question whether the momentum will last.

"It's a combination of will and money, both of which dissipate quickly in the wake of a storm," said University of Houston political scientist Brandon Rottinghaus. "Those things have a pretty short shelf life."

Free Press, September 14, 2017

Daniel and Hannah Hall will have to start from scratch. They moved to San Antonio with just two suitcases...The expecting parents say that the choice was an easy one after seeing the destruction that flood waters left behind in Houston.

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Khon, September 14, 2017

Video/Audio -

Families finding new homes in San Antonio after Harvey pushed them out

By Andrea Martinez, KENS -Khon -September 14, 2017

Daniel and Hannah Hall will have to start from scratch. They moved to San Antonio with just two suitcases. "We sat down that night, talked and prayed about it, and decided that this was probably the best choice for us and we decided to move to San Antonio," Daniel said...

Texans Find Hope in Releasing Injured Hawk 'Harvey' Back to Wild

By Allyn Hoang - NBC-Washington - September 14, 2017

An injured hawk that got into a Houston man's taxicab before Hurricane Harvey made landfall was released back into the wild Wednesday in North Texas. The female Cooper's hawk was released in a Plano park after spending the last two weeks in rehabilitation for a head injury...

Dog retirement home destroyed by floods

By Andrea Slaydon - Click Houston - September 14, 2017

SPRING, Texas - A senior retirement community is being rebuilt after suffering major damage during Hurricane Harvey. But it's not what you might think. The home is not for people. It's for dogs - golden retrievers, to be exact...

Students affected by Harvey receive free homecoming dresses

By Sophia Beausoleil - Click Houston - September 14, 2017

HOUSTON - Many schools are back in session and students are looking forward to homecoming season, but because of Harvey many families may be strapped for cash to buy a dress. That is the reason Reagan Celeya, a sophomore at James

E. Taylor High School in Katy ISD, came up with the idea to collect more than 250 homecoming dresses to give to students displaced by the storm...

Maryland Woman Helps Hurricane Harvey Victim Replace Mother's Mugs

By Meagan Fitzgerald -NBC-4 -September 14, 2017

A Maryland woman, touched by a New York Times photo essay that depicted the devastation of Hurricane Harvey on Houston residents, found a way to help a stranger replace some of what was lost.

Full Stories -

RECOVERY

Houstonians question if the will to change can last as Harvey flooding ebbs

Free Press

September 14, 2017

AUSTIN — Massive floods have swamped Houston before, but Hurricane Harvey is prompting policy makers and residents to assess the environmental and economic impact of natural disasters anew.

There's talk of buyouts for Houston property owners to return developed land to a more water-absorbent natural state, and other proposals will come thick and fast as the nation's as fourth-largest city dries out.

"I'm hearing and seeing in newspapers that people are talking about a new normal," said Mary Anne Piacentini, executive director of the Katy Prairie Conservancy in Houston. "It should be a game changer."

Harvey is the third big flood that's soaked Houston in three consecutive years, but this time the high water wasn't confined to Harris County; state disaster declarations went to more than five dozen counties that were threatened by severe flooding, storm surge and high winds.

But as the water-logged counties dry out and the billions of federal dollars earmarked for rebuilding Texas begin to flow, people who remember the proposals to build new reservoirs to contain flood waters, or a dike to protect the Houston Ship Channel refineries, question whether the momentum will last.

"It's a combination of will and money, both of which dissipate quickly in the wake of a storm," said University of Houston political scientist Brandon Rottinghaus. "Those things have a pretty short shelf life."

Still, the combined impact of Harvey, which made landfall in Port Aransas and Port O'Connor as a Category 4 Hurricane on Aug. 25, along with the two previous floods, may have been a critical wake-up call.

Rottinghaus said Harvey is compelling local elected officials such as Houston's mayor to speak "boldly."

Houston's mayor, Sylvester Turner, earlier this week called for a one-year property tax rate hike to help clear debris and make repairs.

The funds would help replace dollars lost to lower property tax valuations on flood-damaged houses.

State Rep. Garnet Coleman, D-Houston, noted that Houston has taken previous floods to heart by moving essential operations at the Texas Medical Center above the first floor after Tropical Storm Allison in 2001 and building the massive Sims Bayou flood-control project.

"Sims used to flood; it didn't this time," Coleman said. "That was a lesson learned. We are learning, slowly."

Coleman acknowledges the importance of protecting the area's critical refineries and the gasoline they produce, but said that while the proposed "Ike Dike" to fend off storm surge isn't a bad idea, it's not the only idea.

Coleman also advocates mitigation efforts such as buying out property owners instead of re-insuring "the same place five times," in areas that flood repeatedly.

Lisa Gonzalez, president of the Houston Area Research Center, also advocates buyouts, along with strengthening the region's "green infrastructure," such as the Katy Prairie, which can quickly absorb flood waters more quickly than developed land.

Gonzalez said there's a "false dichotomy" development and conservation measures that can bolster flood-control.

"If we set this up right we can do a lot of good things," Gonzalez said.

Gonzalez said the fact Harvey affected so many counties, and not just Harris County, which contains Houston, could spur a brooder consensus for action than past disasters such as Hurricane Ike did in 2008.

"Ike was viewed as more of a coastal event," Gonzalez said. "In Houston we don't always think of ourselves as a coastal community."

But, Gonzalez said, "there's not anyone in the region that hasn't been changed by Harvey some way."

She advocates assessing floodplain development, then getting the information to local and county officials who will be governing about 10 million residents by mid-century, up from about 7 million in the greater Houston area now.

"This is not an insurmountable problem," Gonzalez said. "It's going to take resources."

Of course, "there's only so much money," Coleman said.

Rottinghaus noted that flood mitigation hasn't received as much attention from state lawmakers in the past as items such as education.

"This is a long-term problem," Rottinghaus said. "With a little bit of political will and a whole lot of money it is something that can be fixed."

The next regular legislative session doesn't begin until 2019.

"The political will is there now," Rottinghaus said, "but will it be there in 18 months?"

Concerns raised for cemeteries after Hurricane Harvey floods

Houston Chronicle

September 14, 2017

HOUSTON (AP) — Hurricane Harvey floodwaters exposed dozens of caskets at swamped cemeteries in Texas and Louisiana last month, the grim result of shallow graves set in spongy soil, and a scene that may reappear as Florida cleans up after Hurricane Irma.

The Dallas Morning News reports most burial sites are undisturbed by flooding. The weight of a cement casing and several feet of soil typically keep graves planted in the ground.

But at the Hollywood Cemetery in Orange, Texas, which backs up the flood-swollen Sabine River, and 20 miles north in Starks, Louisiana, more than 20 caskets surged to the surface after Harvey's torrential rains, and some floated away.

"We've already collected 15 caskets at this point, and we don't have them all," said Charles Hunter, the Calcasieu Parish chief coroner investigator. "We found one a quarter-mile away."

Hunter said aboveground burials, like mausoleums, and surface are favored in Louisiana because the soil is so easily saturated with water. In his parish, most crypts are about three feet deep with a cement cover.

"In a flood, the air pressure builds up in that vault and it will eventually break the seal," he said. "When that happens, the lid just pops off. I've even seen the water pick up the entire vault, and they can weigh in excess of 3,000 pounds."

Hurricanes Katrina, Gustav and Ike all washed away caskets, in some cases breaking apart wooden coffins, leaving medical examiners the macabre task of matching remains to empty grave sites.

When local coroners are unable to keep up with the work — like after 200 sets of remains were unearthed during Hurricane Rita — the U.S. Department of Health and Human Services sends in teams of specialists to help process and refrigerate the bodies.

Gretchen Michael, a spokeswoman for the agency, said teams have not needed to deploy to Texas, Louisiana or Florida.

In Houston, as floodwaters continued to recede, most cemeteries along the city's engorged bayous and drainage channels reopened. Mud still covered a few grave markers at the historic Hollywood Cemetery, and a construction crew repaired a buckled road at Glenwood Cemetery, but most grave sites appeared undisturbed.

Officials at the Harris County medical examiner's office and Harris County Health Department said the city's cemeteries emerged from the flooding largely intact.

Dr. David Persse, the physician in charge of Houston's Emergency Medical Services and Public Health Authority, said even if buried corpses had washed into the city's bayous, they would pose very little health risk.

Embalming kills all pathogens in the body, he said, and corpses buried before the practice would be so decomposed in diluted floodwater there would be no danger.

"It's a horrible thing to think about, what happened in Katrina," he said, "but it doesn't pose any particular health risk. It's just incredibly emotionally disturbing for those family members."

Bob Gregg buried his wife of 61 years, Margaret, about two weeks before the U.S. Army Corps of Engineers released water from two Houston-area reservoirs. The runoff trapped the 88-year-old in his house and likely flooded his wife's gravesite.

"If the Lord has her floating down a river someplace, I don't know how to feel about that," he said. "It isn't anything I would have ever thought about, and it doesn't necessarily concern me."

Charles Cook, a 61-year-old caretaker of Olivewood Cemetery, a historic resting place of former slaves and many of the city's African-American pioneers, said flooding has reshaped the 7½-acre plot for centuries.

Harvey was no different. Empty beer cans, twisted branches and trash carpet a briar-choked ravine under a canopy of towering live oak trees.

"This is what haunts me," Cook said, motioning to a tilted stone marker about to slide into a gully alongside the White Oak Bayou northwest of downtown. "If it keeps eroding, this is my next casualty, a World War I veteran, so I cry every time I come out here."

The headstone is weathered. What's left reads: "Joseph Adams, PVT, 355 Labor BAT, Jan 27, 1919."

Olivewood is sacred, and some say it is haunted. A ghost hunter once allegedly videotaped a translucent form above the grave of Mary White, who died in 1988.

Historian Louis Aulbach, author of "Buffalo Bayou: An Echo of Houston's Wilderness Beginnings," chuckled at superstitions evoked by the city's waterways. One kayak operator tells tourists that cool winds are whispers of the dead, an attempt to connect from beyond the grave.

"Every Halloween I get calls from the media who want to know what the ghost stories are," Aulbach said, "and I tell them, 'I deal with history, not the supernatural."

Hurricane Harvey flooded a few of Houston's landmark cemeteries, which hug about a dozen bayous winding through downtown.

Chocolate milk-colored water surged through one of Congregation Beth Yeshurun's two cemeteries, Allen Parkway, but eventually drained away and left the site's tombs intact.

Aulbach said the process of creeping and receding water has shaped Houston's landscape since it was founded in 1836 along the banks of the Buffalo Bayou, and long before then.

Harvey showed that process isn't going to end anytime soon, even with man-made reservoirs and cemented channels running through downtown.

"It was a historic flood event," he said. "And it'll eventually happen again."

Residents displaced by Harvey headed to Ford Park after berthing barges fail USCG inspection

By Jacque Masse 12NewsNow September 14, 2017

PORT ARTHUR - Residents in Port Arthur who were displaced by Harvey are now headed to Ford Park after a pair of berthing barges failed coast guard inspection.

Jefferson County Judge Jeff Branick told 12News that the new plan is for residents to be housed at Ford Park.

The barges failed a U.S. Coast guard inspection according to Jefferson County Jeff Branick and will not be coming at this time.

Port Arthur Mayor Derrick Freeman and Judge Branick had previously said there would be two FEMA barges which would hold 300 people each coming to Port Arthur.

Previously County Judge Jeff Branick said FEMA and the "Texas Division of Emergency Management" are looking at other options for temporary housing such as mobile homes, trailers and shelters.

Officials are also looking into contractors with the Sheltering and Temporary Essential Power program who will make repairs to damaged homes and could allow people to move back.

Mayor Freeman posted this picture on Facebook clarifying the barges that will be use to house displaced residents.

Texas World Speedway Holding Flood Damaged Vehicles from Harvey

By Bill Oliver
WTAW
September 14, 2017

For at least the next six months, Texas World Speedway will be the home of more than 30,000 parked cars damaged beyond repair by flooding from hurricane Harvey.

Bill Mather at the speedway says 400 acres of land has been leased for six months by a company that works with insurance companies processing claims for vehicle owners who lost their titles due to the flooding. The lease also includes two extensions of three months each, if necessary.

Mather says the vehicles will not be parked where the first phase of home construction will begin in the Southern Pointe community. Mather says plans have been submitted to the city of College Station for the first 150 homes at the mixed use development that will be built on racetrack property

Mather also says driving on the one-time stock car racetrack and road course has been suspended through the rest of the year.

Brazos County Judge Duane Peters said he appreciated the advance notice from Mather about the parked vehicles, that they will be located out of public view, that there is around the clock security, and that there will be no salvage operations.

Family leaves damaged home, thankful for safety

By Ismael Perez <u>Victoria Advocate</u> September 13, 2017

As the ceiling of their children's room fell apart, Savannah Otto was thankful their two children weren't home during Hurricane Harvey.

"We heard a crash and saw the cat ran out," Otto, 28, said. "We thought it knocked something down."

Otto and her husband, Anthony Otto, 30, rode out the hurricane on their couch watching the news in their apartment at 2303 N. Louis St., while their children stayed at Otto's mother-in-law's house. They have an 8-year-old girl and a 10-year-old boy.

"We did well all night until 5:30 a.m.," Savannah Otto said.

As the Ottos shined light to the areas throughout the house, they saw the ceiling from the kitchen fall off first, then the kids' room and then the bathroom.

Otto thinks the winds blew off the roof shingles first.

Then the rain started seeping through the holes, and it eventually caused the ceilings to come down.

The Ottos left the day after Harvey struck and turned off the power so they could avoid a fire.

"It's not livable anyway," Anthony Otto said. "It will take a few weeks to fix it, but we don't plan to rent there further."

The family is staying with Anthony Otto's mother's house and are looking for pet-friendly apartments.

Savannah Otto said they had not been through a hurricane before Harvey, but they experienced flooding in 2015 when they lived on William Street.

She said her family is stubborn, and they did not want to leave. But after seeing the damage, they are thankful their children were not home during the storm.

"If the kids were in their room, they could have been hurt pretty bad. We would have had them sleeping with us in the living room." Savannah Otto said. "For now, we will be staying with my mother-in-law until we figure out what we can do about a place."

Houston schools damaged by Harvey start the year on unfamiliar campuses

By Shelby Webb Chron September 14, 2017

When Julian Herrera starts classes Thursday morning, the 8-year-old will be surrounded by middle schoolers.

It's not because the 8-year-old Robinson Elementary schooler has advanced academically beyond his years or has enrolled in a special program. Instead, Julian's parents learned his old school on Houston's eastside sustained heavy flood damage in Hurricane Harvey, forcing the district to relocate the school's students. Now Julian and his 10-year-old sister Leila will start the year at Holland Middle School, about 7 miles away from their home school.

"I'm a little scared that we might have different lunches, and I might be ending up with the big kids," Julian said.

Robinson Elementary is one of nine Houston ISD campuses that must be relocated after its campus sustained relatively heavy damage during Hurricane Harvey. The school district has begun to hold informational community meetings for families at those nine schools, offering details on the transitions' logistics and trying to provide a sense of stability amid widespread uncertainty.

Wednesday evening, hundreds of Robinson parents gathered at Holland Middle School to hear about how their students would be integrated onto two unfamiliar campuses.

Older students would be sent to one hallway in Holland Middle, while younger Robinson students would be sent to a wing of nearby Pleasantville Elementary.

Jorge Arrendondo, HISD's chief support officer of Houston's eastside, said the old Robinson Elementary building may not reopen until January.

"It's not a perfect situation," Arrendondo told parents. "But we're hoping you're going to be flexible and you're going to be able to work with us."

Parents at Wednesday's meeting said school officials called them days after the storm to let them know how badly Robinson Elementary was damaged and that district officials were working on a plan to get their students back in a classroom.

Marchell Bourda, whose 4-year-old grandson King will start prekindergarten at Robinson Elementary's temporary location in Pleasantville Elementary, said the whole experience has been unsettling.

"He hasn't been to any school before, so we have to put him on a bus for the first time," Bourda said. "It's going to be so difficult for working parents and single parents."

Quincesa Carroll, whose 10-year-old daughter Kali Sanders attends Robinson Elementary, said she was anxious about the transition but that Wednesday's meeting helped put her mind at ease.

Kali was more concerned with getting out of the house than with where her classes would be located. She said she had grown bored of sitting at home during summer and even more so as summer stretched on for an additional two-and-a-half-weeks after Hurricane Harvey.

As she walked around Holland Middle, Kali said she felt like she was years older.

"It feels like I'm in high school," she said before excitedly turning to her mother. "Are we going to have lockers? We only had cubbies last year."

For some parents and students, Robinson's relocation was a small inconvenience in the grand scheme of their suffering.

Guadalupe Herrera, Julian's father, said his family lost almost all their earthly possessions after Hurricane Harvey sent about a foot-and-a-half of water rushing into their East Houston home. He said being able to send Julian and Leila back to school was just one small step towards normalcy - a dream that seems a lifetime away.

"It's hard," Herrera said, pausing as tears welled in his eyes. "It's important, education in our family is very important. We know there are families that have been affected worse than us, but we're just grateful to HISD getting it together."

"Kids are going to be kids, I'm sure some of them are happy their summers were longer," Herrera added. "But you could see in their faces they want to go back. They want to mingle with other kids, they want to have their friends."

Families finding new homes in San Antonio after Harvey pushed them out

By Andrea Martinez, KENS Khon September 14, 2017

SAN ANTONIO - Daniel and Hannah Hall will have to start from scratch. They moved to San Antonio with just two suitcases.

"We sat down that night, talked and prayed about it, and decided that this was probably the best choice for us and we decided to move to San Antonio," Daniel said.

The expecting parents say that the choice was an easy one after seeing the destruction that flood waters left behind in Houston.

"I have never seen anything like it, ever," Daniel said.

A video taken from their neighborhood shows how the water had risen up to about six feet. When those waters receded, the Halls went back to their apartment and found that they couldn't save a thing.

"There's not much you can save because, since [the water] was part sewage, no matter how much you wash it or bleach it, it's toxic," Daniel explained.

Hannah Hall struggled in those floodwaters. She's expecting a baby boy later this year, something that landed her in a Houston hospital as a precaution and something that will make this fresh start a little more challenging.

The Halls have been staying at a hotel while their apartment is prepared for their move but they hope to plant even deeper roots in the Alamo City by buying a home.

They aren't alone either. A spokesperson with the San Antonio Housing Authority said that they've been helping hundreds of families affected by Harvey.

According to SAHA, families who are referred by FEMA or the Red Cross will receive priority on the public housing wait list. As for section 8 families in Houston, they are now able to use their vouchers in San Antonio.

ENVIRONMENT

Leaves Returning to Trees Stripped Bare by Hurricane Harvey

By Brian Donegan Weather September 14, 2017

Destructive winds from Hurricane Harvey, which made landfall as a Category 4 hurricane with maximum sustained winds of 130 mph near Rockport, Texas, on Aug. 25, stripped the leaves off many trees.

But there's some good news: After nearly three weeks, the landscape is starting to turn a bit greener as trees begin to grow their leaves back at Goose Island State Park.

FLOOD INSURANCE

FEMA: Harvey losses could top \$11B

News-Journal September 14, 2017

WASHINGTON (AP) — The head of the National Flood Insurance Program said Wednesday early estimates show Hurricane Harvey will result in about \$11 billion in payouts to insured homeowners, mostly in Southeast Texas.

That would likely put Harvey as the second costliest storm in the history of the federal insurance program, said Roy E. Wright, the Federal Emergency Management Agency's deputy associate administrator for insurance and mitigation. More than \$16 billion was paid out after Hurricane Katrina in 2005.

It is still too soon to estimate losses from Hurricane Irma, Wright said. But he predicted the storm damage in Florida and other affected states could rival the nearly \$9 billion paid out after Superstorm Sandy in 2012.

Even before the recent back-to-back hurricanes, the federal flood insurance program was about \$25 billion in debt to the U.S. Treasury. Wright said the program currently has enough cash to absorb the initial wave of payments to help homeowners get back on their feet but will need billions more within about a month.

"Congress has never turned their back on a flood insurance holder, and I cannot imagine them looking away now," Wright said. "I am confident there will be no break in the flow of funds."

The Associated Press reported earlier this month that the total number of federal flood insurance policies nationally dropped by about 10 percent over the past 5 years, to about 4.9 million. The drop came after Congress required a premium hike in 2012 and about a half million homeowners elected to drop their coverage.

As a result, scores of homes flooded by Harvey and Irma will not be covered by federal flood insurance. Those uninsured homeowners will likely have to seek grants and loans to rebuild. Wright said such federal emergency help should be seen as a life vest, but not the full protection offered by flood insurance.

Wright said that nationally there are about 10 million residential structures, twice the number of properties currently covered, in areas that could potentially flood. That includes many homes that are outside 1-in-100 year flood plains or that don't have federally-backed mortgages requiring flood insurance policies.

Wright said uninsured homeowners around the country should learn from what is happening in Houston and other flood-ravaged parts of the country and seriously weigh whether they should buy a policy.

"Collectively, we need more people covered," Wright said. "We have to get beyond this conversation about what I have to do and what I'm mandated to do, and put folks in an educated position by which they are making a back-pocket economic decision."

Wright said that under current law, FEMA is not allowed to cancel policies covering waterfront or low-lying homes that have been flooded and rebuilt multiple times. In the wake of Harvey and Irma, he said the flood insurance program will likely be refining its policies to allow the owners of such multiple-loss homes to be bought out and moved to higher ground.

FEMA exec estimates Harvey payouts could reach \$11B

By Olivia Pulsinelli Business Journal September 14, 2017

Hurricane Harvey is estimated to be the second-costliest storm in the history of the National Flood Insurance Program, according to reports.

The Associated Press reports that Roy Wright, the Federal Emergency Management Agency's deputy associate administrator for insurance and mitigation, expects the storm to result in about \$11 billion in payouts to insured homeowners. That would rank Harvey only behind the \$16 billion paid out after Hurricane Katrina in 2005, per the AP.

But FEMA also needs more money from Congress in order to fulfill all of those payouts — plus those from Hurricane Irma, which have yet to be calculated.

The Houston Chronicle reports that FEMA currently has \$1.5 billion in cash on hand and \$5.8 billion in borrowing authority. The agency will seek additional funding over the next several weeks, even though it currently owes about \$24 billion to the U.S. Treasury and runs a \$1.5 billion yearly deficit, per the Chronicle.

"It is my personal commitment to ensure that every dollar a policyholder is entitled to under their policy is paid," Wright said in a conference call with reporters, per the Chronicle. "Congress has never turned their back on a flood insurance policyholder. I cannot imagine them doing so now."

Meanwhile, \$11 billion is just a small portion of the total cost of Harvey.

The CEO at insurer Hiscox estimates the insured damage caused by the storms to be between \$50 billion and \$70 billion, the Guardian reports.

Moody's Analytics estimated all damages — insured and uninsured losses — from Harvey and Irma combined to total between \$150 billion and \$200 billion, plus another \$20 billion to \$30 billion in lost economic output, according to CNBC.

AccuWeather estimates damages and economic costs from Harvey and Irma combined to \$290 billion. That includes \$100 billion from Irma and \$190 billion from Harvey, the most of any storm in U.S. history.

According to AccuWeather's press release, "economic costs are incurred by, but not limited to, the following:

- ""Disruptions to businesses
- •"Increased unemployment rates for weeks, and possibly months in some places
- "Damage to transportation, infrastructure
- "Crop loss, including cotton crop and 25 percent of orange crop, which will impact the cost of consumables for all Americans
- "Increased gasoline, heating oil and jet fuel prices impacting all Americans
- "Damage to homes, cars, furniture, antiques, jewelry and other valuables
- "Loss of valuable papers, cherished belongings such as photos"

FEMA insurance chief: Harvey losses could top \$11 billion

By Michael Biesecker <u>Denver Post</u> September 14, 2017

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It is still too soon to estimate losses from Hurricane Irma, Wright said. But he predicted that the storm damage in Florida and other affected states could rival the nearly \$9 billion paid out after Superstorm Sandy in 2012.

Even before the recent back-to-back hurricanes, the federal flood insurance program was about \$25 billion in debt to the U.S. Treasury. Wright said the program currently has enough cash to absorb the initial wave of payments to help homeowners get back on their feet but will need billions more within about a month.

"Congress has never turned their back on a flood insurance holder, and I cannot imagine them looking away now," Wright said. "I am confident there will be no break in the flow of funds."

The Associated Press reported earlier this month that the total number of federal flood insurance policies nationally dropped by about 10 percent over the last 5 years, to about 4.9 million. The drop came after Congress required a premium hike in 2012 and about a half million homeowners elected to drop their coverage.

As a result, scores of homes flooded by Harvey and Irma will not be covered by federal flood insurance. Those uninsured homeowners will likely have to seek grants and loans to rebuild. Wright said such federal emergency help should be seen as a life vest, but not the full protection offered by flood insurance.

Wright said that nationally there are about 10 million residential structures, twice the number of properties currently covered, in areas that could potentially flood. That includes many homes that are outside 1-in-100 year flood plains or that don't have federally-backed mortgages requiring flood insurance policies.

Wright said uninsured homeowners around the country should learn from what is happening in Houston and other flood-ravaged parts of the country and seriously weigh whether they should buy a policy.

"Collectively, we need more people covered," Wright said. "We have to get beyond this conversation about what I have to do and what I'm mandated to do, and put folks in an educated position by which they are making a back-pocket economic decision."

Wright said that under current law, FEMA is not allowed to cancel policies covering waterfront or low-lying homes that have been flooded and rebuilt multiple times. In the wake of Harvey and Irma, he said the flood insurance program will likely be refining its policies to allow the owners of such multiple-loss homes to be bought out and moved to higher ground.

BUSINESS & ECONOMY

Deadlines loom for federal assistance for employees, businesses after Harvey

By Jen Para
Business Journal
September 13, 2017

Deadlines for employees and businesses needing federal assistance in the aftermath of Hurricane Harvey are fast approaching.

Those who have lost their job due to Harvey could be eligible for disaster unemployment assistance provided by the Texas Workforce Commission.

For Houston-area counties, here are the deadlines to apply for disaster unemployment assistance: Brazoria, Chambers, Fort Bend, Galveston, Harris and Liberty counties have until Sept. 27; Montgomery, San Jacinto and Waller counties have until Sept. 29; and Austin County has until Oct. 5."

To apply, workers have two options: go to http://www.twc.state.tx.us/jobseekers/disaster-unemployment-assistance, or call a TWC Tele-Center on weekdays 8 a.m. to 5 p.m. at 800-939-6631.

Unemployed Texans can receive up to 26 weeks of benefits, which range from \$66 to \$493 per week.

Many businesses and nonprofit organizations are also eligible for a disaster small business loan. The Small Business Administration has approved more than \$103 million as of Sept. 10 in federal disaster loans with money predominantly going toward residents to rebuild and recover. The SBA helps businesses to replace damaged or destroyed real estate, machinery, equipment, inventor and other business assets.

Businesses can borrow loans of up to \$2 million. Interest rates start at 3.3 percent for businesses and 2.5 percent for nonprofit organizations. The deadline to apply for property damage is Oct. 24, and the deadline to apply for economic injury is May 25, 2018.

Ranching structures, cotton mostly damaged by Harvey

By Ismael Perez <u>Victoria Advocate</u> September 13, 2017

Cindy Gayle let out a heartfelt cry after learning seven of her horses were under her collapsed barn that was destroyed by Hurricane Harvey.

"It was like someone crumpled a paper napkin," the 63-year-old Goliad woman said. "When the tin collapsed, it was like a knife hitting the horses. It hurt seeing the horses like that."

The Goliad Fire Department helped free the horses from the collapsed structure. Six of the seven horses suffered injuries, with cuts from 12 to 16 inches long.

Gayle had taken the necessary precautions by letting the horses out of the barn before the storm. However, she said the horses returned to the barn through an open door to take cover from the rain.

Agriculture experts say Harvey caused significant damage to barns, fences and hay for ranchers, while cotton was the crop mostly damaged throughout the Crossroads.

Ranchers may see some significant damage to grasses because they were underwater, said David Anderson, Texas A&M AgriLife Extension Service livestock economist in College Station.

"A lot of our growing season is already over," he said. "Hay losses will mean that new supplies will be needed later in the year and early next year because it is pretty common to feed hay to cows over the winter."

When it comes to livestock safety during a strong storm, Anderson said it is common practice for ranchers to move cattle to higher ground and to leave gates open in case they need to escape to higher ground.

He said beef prices are not expected to increase because of Harvey.

"Most of our beef production is out in the Panhandle or Great Plains because that is where the packing plants are located," he said. "So, there is really not a supply problem."

Beef prices are declining because of the increase in production. People can expect a record large amount of beef production in 2018 with lower prices, Anderson said.

Craig Lenhart, 58, of Austwell, sustained damage to two of his own barns, three of his rented barns and water damage to his own home.

His harvested cotton had been blown by the wind to the middle of the highway and some into ditches. Lenhart said he lost about 20 percent of his harvested cotton.

The significant damage Harvey caused to cotton was raining on the crops that have not yet been harvested and blowing the cotton bales into ditches filled with water, said John Robinson, Extension Service cotton marketing economist.

Geri Kline, Extension Service agent for agriculture and natural resources for Calhoun County, said there are 19,000 acres of cotton in the county and farmers were reporting it was the best crop they have seen in a long time.

"It almost looked like it was snow on the ground," Kline said. "Now some of the cotton might not be harvestable at all."

About 300 acres of cotton had not been harvested in DeWitt County before Harvey, said Anthony Netardus, the county's Extension Service agent.

After the cotton was harvested, he said it was estimated there was about 40 to 50 percent of cotton loss countywide.

Robinson said cotton farmers have not been in an exceptionally bad situation for about 10 years.

He said the region's cotton loss will not affect the price of clothing because of the global market of the crop, however, it will affect farmers' businesses and employment.

Agriculture experts say it will take months for farmers and ranchers to calculate the economic impact caused by Hurricane Harvey.

Kline said not knowing about what the season will bring is what agriculture is all about.

"Agriculture is a game of risk, and Harvey is one of those things that can happen," she said. "It was one of the best years cotton farmers could have seen, but some might not plant next year because of the damage they got."

Home sales in Houston take 25 percent hit due to Harvey

<u>KSAT</u>

September 13, 2017

HOUSTON (AP) - Statistics from the Houston Association of Realtors show the Houston area's real estate market, which had been on track for a record year, has been hammered by Harvey.

The sales organization reports the 7,077 sales for August represents a more than 25 percent drop from the same month a year ago. It's the first monthly decline in nearly a year.

The association's chair, Cindy Hamann, said Wednesday sales for the first three weeks of August were "humming along" and when Harvey hit in the last week of the month, "everything came to a screeching halt."

For the year, sales are up 1.8 percent from 2016. Hamann says the 4.4-month inventory of available housing is expected to shrink as people in need of homes buy undamaged properties.

HUMAN INTEREST & COMMUNITY OUTREACH

Students affected by Harvey receive free homecoming dresses

By Sophia Beausoleil Click Houston September 14, 2017

HOUSTON - Many schools are back in session and students are looking forward to homecoming season, but because of Harvey many families may be strapped for cash to buy a dress.

That is the reason Reagan Celeya, a sophomore at James E. Taylor High School in Katy ISD, came up with the idea to collect more than 250 homecoming dresses to give to students displaced by the storm.

Her motto: If it fits, it's free.

"I came up with the dress drive to help those who couldn't afford it or even have time or thought about it," said Celeya who is also a volleyball player. "I think it's very sad, but it makes me more than happy knowing that I can help them."

The number of donated dresses grew to 400 after teachers from Memorial Parkway Junior High used their day of service to have a dress drive.

"We wanted to make sure that all the girls could still go to homecoming," said Melanie Beisert a teacher at Memorial Parkway.

The "Pop up Shop" opened on Sunday at Taylor High School and about 30 girls came out. They had a second event Wednesday from 6 to 8 p.m.

"It gives them a sense of normalcy. I mean, they want to go out on their day-to-day lives and that's what we want to do as teachers in Katy ISD. We're all working together to make sure that we're giving them that the stability they want to have," said Beisert. "It's horrible, the whole city of Houston and the surrounding areas have been hit so hard by this storm and we're going to want to give to other schools."

The dress drive is warming the hearts of both parents and students.

"I am grateful. As I'm walking through, I'm just thanking God, just thanking God the whole way through," said Jemimah Starr.

She and her daughter, Breasia, moved from Kansas City two weeks before Harvey dumped an unprecedented amount of rain in the Houston area.

Their apartment flooded and they lost everything.

"I don't have no money and we don't even have a roof over our head, so to keep her going, this has helped us a great deal," Starr said.

Her daughter is a sophomore at Katy High School and has never gone to homecoming before. Starr said she never went to her homecoming and doesn't want the same thing to happen to her daughter. "At first, I wasn't going to go to homecoming because I didn't have a dress and because of the flood and everything. We don't have any money or anything to provide a dress so I'm very thankful that people donated jewelry and dresses," said Breasia.

She found her perfect outfit: a silver sequined party dress with silver pumps and necklace donated by Charming Charlies.

"This is perfect," said Breasia as she giggled about her new find. "And the shoes match perfectly. Don't it? Gorgeous."

Two dress racks over in the lobby of the competition gym, a similar story for another Katy High School student unfolded.

"It was sad because it was a lot of water and we had to evacuate and had to stay at a family's house," said Aaliayh Vanda, who is a sophomore at Katy High School.

She too was able to find a dress.

"We're kind of short on money right now because of what happened and looking for furniture and looking for somewhere to move and I think this will help her out a lot," said Aaliayh.

Katy High School's homecoming is Sept. 23 and Ceyela said she hopes to have another pop-up homecoming dress shop between now and next week.

She also hopes to get more dresses for students at other schools in the district, along with Houston and even Florida.

Around 15,000 students were displaced because of Tropical Storm Harvey.

If you want to donate dresses, teachers are still collecting them at Memorial Parkway Junior High at 21203 Highland Knolls, Katy, TX 77450.

Orange County's Hog Day festival raising money for hurricane relief

By Steve Vargha
ABC11
September 14, 2017

ORANGE COUNTY (WTVD) -- The Hog Day festival is alive and well. Now managed by the Orange County Optimist Club, the festival is celebrating its 35th year by helping raise money for hurricane relief this week.

The Orange County Optimist Club will be raising money to help those in need in Texas, Louisiana, and Florida. It comes after Hurricane Harvey first made landfall on August 25, and Hurricane Irma hit Florida last weekend.

Proceeds from the Pig's on Parade contest will support the National Optimist Hurricane Relief Fund.

The festival will feature a large children's area, over 100 vendors including some of the top arts and crafts. They also cook over three tons of BBQ by top cooking teams.

Special features like gem mining and special celebrity appearances are part of the festival. There are several new additions to this year's festival, including the return of the car show and dessert contest.

Hillsborough Hog Day will be held Friday from 6 p.m. to 10 p.m. and Saturday from 10 a.m. to 6 p.m. along East Margaret Lane in Hillsborough. Admission is free.

Visit the Hog Day Facebook page for more details.

Houston Bike Share offers free bicycles to people who lost cars to Harvey

By Greg Beach <u>Inhabitat</u> September 14, 2017

Houston Bike Share is distributing free bicycles to those who lost their vehicles in Hurricane Harvey. When the powerful storm dumped a record amount of rain on the Houston area, damaging at least 100,000 homes and killing more than 70 people, it also destroyed hundreds of thousands of cars. Many of those who lost their vehicles are still paying for them, which makes purchasing a new car difficult. Through its program Keep Houston Rolling, in partnership with BikeHouston, Freewheels Houston and Rice Bikes, Houston Bike Share aims to provide access to alternative transportation to those who need it.

Houston is a car city, as is clear in its infrastructure and its local culture. "I love driving my car, I'm never going to get rid of it," admitted Carter Stern, executive director of Houston Bike Share. "But I ride my bike to work three to four days a week, and that's great. I [view] the mobility in a city less as a binary decision and more as giving people a healthy ecosystem of options." In the wake of Hurricane Harvey, access to bikes could make a difference for those who currently are immobile without their vehicles. "It's a way for us to put a dent in some of the issues that are going to be facing Houston in the aftermath of the storm," said Stern.

Although Keep Houston Rolling is serving an immediate need in the wake of Hurricane Harvey, it may have a sustained impact on how the city views and supports biking as a transportation mode going forward. "When I go to city meetings or talk with the community, there's a lot of skepticism around using a bike for utilitarian purposes, not just for fun," said Stern. "But once you start using it to go to the store or go to work, you realize it's healthy, it's easy, it's good, it's relaxing."

After raising more than \$32 million, J.J. Watt stops taking Hurricane Harvey donations

By ABC13 Staff
ABC
September 14, 2017

The Hurricane Harvey fundraising effort led by Houston Texans star J.J. Watt comes to end Friday at 5 pm after more than \$32 million has been raised for the United Way of Greater Houston Flood Relief Fund. That amount far surpasses Watt's original goal of \$200,000.

"We will complete the fundraising efforts to dedicated our time to ensuring that every dollar is put to work for the people in the devastated areas in and around Houston," Watt said posted in the Tweet below on Monday. "Please keep this spirit of helping one another alive."

Major contributors to Watt's fundraiser include Texas grocer H-E-B (\$5 million), the Houston Texans (\$1 million), the NFL (\$1 million), Anadarko (\$1 million), Walmart (\$1 million) which delivered the news on the Ellen show, and Amy Adams Strunk who owns the Tennessee Titans (\$1 million).

Celebrities from Arnold Schwarzenegger (\$100,000) to Drake (\$200,000) to Houston Rockets point guard Chris Paul (\$75,000) and to Jimmy Fallon (\$1 million) also made sizable donations.

Click the video below for more details, and head to our news partners at ABC13.com for the full story.

With \$32M in hand, J.J. Watt sets Friday end to Harvey relief fundraising

By Bob Hille Sporting News September 14, 2017

Texans defensive end J.J. Watt, whose efforts have brought in nearly \$33 million for Hurricane Harvey relief, will close his fundraising Friday, he announced via Twitter.

His statement Wednesday read, in part: "There are not enough words to thank you all for your generosity. ... On Friday, Sept. 15 at 5 p.m. CT, we will complete the fundraising portion of our efforts to dedicate our time to ensuring every dollar is put to work for the people in the devastated areas in and around Houston."

As of Thursday morning, the fund has received more than 200,000 donations totaling \$32,886,859, almost \$13 million more than Watt's final goal of \$20 million.

Harvey charities raise more than \$350M in less than 3 weeks

Houston Chronicle September 14, 2017

HOUSTON (AP) — More than 50 local and national charities have raised more than \$350 million in the nearly three weeks since Hurricane Harvey struck the Texas Gulf Coast, and the disparate groups are trying to decide on priorities while some storm victims still await help.

Distrust of large charities such as the American Red Cross has driven many donors to smaller, local organizations. For instance, Houston Texans football star J.J. Watt has raised more than \$30 million for his foundation, an effort he started by posting appeals on social media.

One donor to Watt's effort, Helen Vasquez, stood outside the Texans' stadium and said she had seen a Facebook post listing the salaries of executives at top national charities. She gave Watt \$20 instead.

"It's all going to the people itself and not to the corporations, not the higher-ups in the corporations," Vasquez said.

But most of the money raised for Harvey has gone to the Red Cross, which has raised a least \$211 million. The rest went to other organizations, including 40 groups listed by Charity Navigator, as well as dozens of other groups and individual families raising money on do-it-yourself sites such as GoFundMe.

More than \$50 million has poured into the local fund set up by Houston Mayor Sylvester Turner and Harris County Judge Ed Emmett, the county's chief administrative official.

Turner and Emmett openly urge donors to give to the local fund and not the Red Cross, saying doing so will ensure the best use of the money.

Emmett has blamed the Red Cross for problems that arose with setting up and running the emergency shelters used by tens of thousands of people who were flooded out of their homes.

The Greater Houston Community Foundation, which the men have asked to administer the fund, is creating a 12-member board and a grant committee to set priorities and distribute donations starting in the next several weeks. The foundation is working with the United Way and dozens of other charities, but so far not with the Red Cross or with Watt, who did not respond to questions sent through a spokesman for the Texans.

David Brady, CEO of the Red Cross of the Texas Gulf Coast, said his group would be "happy to be a part of all conversations" and that the Red Cross would review how it could improve its shelter operations in the future.

"We can't take the criticisms personally," he said.

The foundation's CEO, Stephen Maislin, said it will pay the costs of running the Harvey relief fund on its own, including the credit card fees banks charge for donations.

The charities are still weighing the best ways to use the money and setting up systems to monitor where the money goes. Veterans of other major disasters, such as Hurricane Katrina and Superstorm Sandy, say coordination between groups is critical to make the most out of every dollar.

Reese May, national director of recovery for the home rebuilding group SBP, said local leaders need to bridge the gaps between the dozens of groups by setting clear goals.

"When there is aggressive leadership, when there are aggressive goals that are publicly set, it plants the flag," May said. "It gives neighbors the opportunity to connect with one another, saying, 'Absolutely, we're going to make it back from this "

Among the most critical needs is figuring out housing for thousands of people who are still living in emergency shelters, many of whom are not eligible for federal assistance. Others lost everything in their homes, and some people are living in gutted homes flooded by sewage because they have nowhere else to go.

The people involved in fundraising say they must move quickly and coordinate with each other.

"I'm praying we can stretch it," said Anna Babin, head of the United Way of Greater Houston, which is already issuing grants to people needing help with rent and lost vehicles and cleaning out flooded homes. "But this is so significant."

As the Texans played their first game of the season Sunday, around 1,900 evacuees were inside the NRG Center, the convention center across the street from the stadium. Thousands of NFL fans were tailgating in nearby parking lots, and smoke from sausages and chicken on the grill rose in the air.

Estella Martin and several other people said they wanted answers from the groups raising money on their behalf.

"They got enough to put every one of the people that are still here in a home or an apartment and help them out until they get up on their feet," Martin said. "Instead, they've got us here."

Local non-profit collecting donations for Hurricane Harvey victims

WZZM-Grand Rapids September 14, 2017

GRAND RAPIDS, MICH. (WZZM) - A local non-profit organization is spearheading an effort to help victims of Hurricane Harvey in Houston. The non-profit is called Better, Wiser, Stronger, Inc. It is a mentoring group for young men, teaching and leading members of the group by helping those who are suffering in Texas.

"But, this really isn't about us. It's all about Houston," said Henry Sapp, founder of the group. "We feel the reason we should do this is because if it was us, we believe the people in different states would reach out to Grand Rapids. And, we just feel that Grand Rapids has a mandate to help other people in other areas. I just felt led in my heart to come together and try to make impact."

Sapp says they will accept most donations that can help victims. However, they are really focusing efforts on collecting undergarments, socks, diapers and Depends.

"We understood after talking to people down there, those are the things that are hardest to get. With the inability to get into stores and everything, a lot of people are having to walk around having to wear their undergarments consistently," he said. "We wanted to try to create something to help. Especially with the kids with diapers and the seniors with Depends."

The first drop-off was held Wednesday. There will be four more through Saturday. After the donations are collected the group will haul the load to Texas on a tractor-trailer truck.

"We want to get everything down there that we possibly can. So, whatever people can bring, we will take it. Anything people can do to help this come to pass, we are excited about it," he said.

The remaining drop-off times are as follows:

Thursday. September 14th at New Covenant Community Church located at 5160 Breton Rd. in Grand Rapids. That will be held from 5 p.m. to 8 p.m.

Friday, September 15th at Kingdom Square located at 600 Burton SE. in Grand Rapids. That will also be held from 5 p.m. to 8 p.m.

The final drop-off is happening Saturday, September 16th at Kingdom Square between the hours of 11 a.m. and 2 p.m.

"The awesome thing is, as we load on Saturday, we are going to have music, fun and fellowship. We just want to hug people and love on them and let them know how much we appreciate them coming to be a part of us," said Sapp. "Our hashtag is #GRLovesHouston. We really want them to know we care about them and really love them."

Sapp says they hope to help all people hurt by recent hurricanes. But, their first focus is Houston.

Local support for Hurricane Harvey victims continues

Commerce Journal September 14, 2017

The devastation caused by Hurricane Harvey continues to be felt in parts of south Texas, but community members and first responders from Commerce and surrounding areas have done their best to lend a helping hand.

Harvey, a Category 4 hurricane, made landfall late last month and devastated Houston and surrounding areas with constant rainfall, causing massive flooding. Harvey was the strongest hurricane to make landfall in the United States since 2005, and was named the wettest tropical cyclone ever on record in the contiguous United States.

Donation drives for food and supplies have been ongoing at churches, fire departments and other organizations all across Hunt County, and Commerce has been no different. While donations are a big help to those affected, some first responders in town lent a personal helping hand, traveling to affected areas.

Both the Commerce Police and Fire Departments participated in trips to south Texas for assisting with relief efforts. Local police officers, even including interim Police Chief Jason Rector, spent time in shifts in the area helping do what they can. Some Commerce firefighters went as well, as well as local part-time firefighter Josh Cato, who went as a member of Texas Task Force 2, a regional emergency response team.

For the police, many officers that went south served as security at local businesses as they tried to rebuild. One officer, Jonathan Painter, recounted his experiences in a written statement to the Commerce Journal.

"I, along with several police officers and firefighters have assisted in security and recovery in the Houston area. Harvey's devastation was wide felt. The area I'm in currently was [under] approximately 5 feet of water less than a week ago," Painter said. "The homes and families displaced from this disaster are still fighting to recover what they can. I have worked in assisting the security of a business directly affected by the flood waters. After speaking to the manager it was to clear to me that the water may have went down but the struggle to recover has just begun. Cars, trucks and debris covered the parking lot while we spoke."

Painter went on to say that the manager of the store he was stationed at "stated that the store was a total loss and that several workers' homes had flooded, yet they were all here to work, and while they worked I noticed most were smiling. They handed out water, bread, peanut butter and many other items to people less fortunate than themselves."

Painter also stressed the need to continue support of Harvey victims, saying: "Although the people here can get to their homes now they still need many items. A lot of people no longer have cars to get to the other side of the city to get items they need. This storm will take a long time to recover." Painter then thanked his fellow first responders, stating: "I want to thank the men and women of the City of Commerce first responders for assisting all we can during this time of need."

Texans Find Hope in Releasing Injured Hawk 'Harvey' Back to Wild

By Allyn Hoang <u>NBC-Washington</u> September 14, 2017

An injured hawk that got into a Houston man's taxicab before Hurricane Harvey made landfall was released back into the wild Wednesday in North Texas.

The female Cooper's hawk was released in a Plano park after spending the last two weeks in rehabilitation for a head injury.

Cab driver William Bruso, who dubbed her "Harvey the Hurricane Hawk" in online videos that went viral, took her home after she got into his taxicab Aug. 25. Liz Compton of the TWRC Wildlife Center picked up the animal the next day as Harvey's rains fell.

Compton said the hawk couldn't fly because of head trauma, probably from flying into something. After a week-and-a-half of treatment, Compton took the hawk to a Dallas-area center for exercise before releasing her back to the wild.

On Wednesday, Bruso made a four-and-a-half hour drive from Katy, Texas, to Plano for a much-anticipated reunion with his former passenger.

"Today is a special day," the Houston-based cab driver said. "Harvey the hawk that made its way in my taxi to seek refuge from the hurricane, she's being released in the wild today."

Bruso and crowds of families from all over North Texas gathered at Oak Point Park in Plano not only to see Harvey's release but to embrace the hawk as a symbol of hope, survival and triumph amid devastation from Harvey the hurricane.

Richard Fry brought his daughters to get a glimpse of the bird after seeing the viral video online.

"This story touched my heart," Fry said. "Harvey the hawk did give me hope. I see the kindness in people."

"And the miraculousness at a second chance of being released into nature when he might not have made it," added Fry's daughter, Amanda Fry.

For Bruso, sharing this message was a magical experience.

"It's full circle. Full, amazing circle," Bruso said. "What happened today is what is supposed to happen. Harvey was set free, and I hope she does not look back."

Orange County's Hog Day festival raising money for hurricane relief

By Steve Vargha

ABC11

September 14, 2017

ORANGE COUNTY (WTVD) -- The Hog Day festival is alive and well. Now managed by the Orange County Optimist Club, the festival is celebrating its 35th year by helping raise money for hurricane relief this week.

The Orange County Optimist Club will be raising money to help those in need in Texas, Louisiana, and Florida. It comes after Hurricane Harvey first made landfall on August 25, and Hurricane Irma hit Florida last weekend.

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Special features like gem mining and special celebrity appearances are part of the festival. There are several new additions to this year's festival, including the return of the car show and dessert contest.

Hillsborough Hog Day will be held Friday from 6 p.m. to 10 p.m. and Saturday from 10 a.m. to 6 p.m. along East Margaret Lane in Hillsborough. Admission is free.

Visit the Hog Day Facebook page for more details.

Houston Humane Society gets letter, donation from Donald Trump

By Fernando Alfonso III <u>Chron</u> September 14, 2017

Houston's Humane Society just got a sizable donation from President Donald Trump.

The president and Melania Trump sent a letter and \$25,000 to the Houston Humane Society to help with ongoing rescue and housing efforts following Hurricane Harvey.

"Animals are truly non-partisan members of society, can use help from both sides of the aisle" said Sherry Ferguson, executive director for the Houston Humane Society, according to a Facebook post Thursday morning. "Our shelter is so grateful for the first family's decision to make animals a top priority as Houstonians work to rebuild our city from the devastation left behind by Harvey."

Dog retirement home destroyed by floods

By Andrea Slaydon Click Houston September 14, 2017

SPRING, Texas - A senior retirement community is being rebuilt after suffering major damage during Hurricane Harvey. But it's not what you might think. The home is not for people. It's for dogs - golden retrievers, to be exact.

"In 2012, we were founded as a rescue sanctuary for golden retrievers that are seniors, abandoned, abused, owner surrendered," Radliff said. At the home, "they can live their lives out in peace and happiness."

"This place is heaven for older dogs. They are not in cages, they get to run free." said Kathy Billig with Golden Beginnings Rescue.

Kathy Billig works with a different rescue group called Golden Beginnings, which focuses on younger dogs. So the two groups often help each other with placements and other needs.

When the flood waters from Hurricane Harvey pounded the Houston area in late August 2017, GRASS was hit fast and hard by rising floodwaters.

"It was scary. The water rose so quick that by 11 in the morning, it was waist deep in this house," Radliff said. "We had all dogs brought to the front of the neighborhood and they were picked up by their fosters."

"I knew this area got really bad, but I didn't know how bad - you can see the line on the fence of how high it got," said volunteer Delaney Johnson with Cy Woods Paws Club.

Volunteers rushed in to help as soon as they heard about the damage done.

"The next day we came out here and just was ready to help Josh as much as we can," said volunteer Laura McLaughlin.

"When I heard about how bad it was, my family and I came down here," Johnson said. "We scrubbed the wood to get this place back up and running."

This home is a special place for dogs that might not otherwise get this chance.

"I think the fact that they take in older dogs and give them the chance to enjoy the rest of their lives is a great opportunity," McLaughlin said.

"A lot of older dogs end up in shelters, this is Eden for older dogs, it's great. It's a perfect setting," Billig said.

GRASS has a main house with eight bedrooms and a sprawling backyard, complete with several fire hydrants, and three log cabins outfitted just for dogs. The hope is to raise the cabins up three feet just in case another flood hits the area.

Two rooms in the house are dedicated to hospice care.

"Those are the ones we know will pass soon, so that way at any point I can keep an eye on them with the camera system that I have and I can be attending the passing," Radliff said.

They even created a memorial page to honor all those dogs that have gone over the so-called Rainbow Bridge. Radliff has dedicated his life to making sure these dogs know they are loved until the very end.

They even created a memorial page to honor all those dogs that have gone over the so-called Rainbow Bridge. Radliff has dedicated his life to making sure these dogs know they are loved until the very end.

"We will not allow a dog to pass alone. So, I am present during every one," Radliff tearfully said. "I deal with it often, but it's rewarding. Just knowing that dog had a golden year, golden month, weeks or days makes everything worth it. And when they are rehabilitated and re-homed and they find a forever home where they are loved and cared for, that is the most fulfilling feeling I have ever had."

Radliff confidently says the future at GRASS is bright - it's golden, actually.

"We have a saying here that grey is golden. Most of these dogs have had a grey beginning but they will have a golden ending."

Dogs at GRASS are also up for adoption anytime. Right now they are staying with foster families until the renovations are complete.

Relief efforts put warehouse space to good use

Houston Chronicle September 14, 2017

Warehouses in the Houston market are being put to use storing donated goods and rebuilding materials in the aftermath of Hurricane Harvey.

The early focus is having a place to receive large shipments of water, diapers and hygiene kits that volunteers can repackage and distribute throughout the region. Moving forward, industrial space will be needed to store flooring, cabinetry, drywall, furniture and other products related to home restoration or building.

Home Depot recently leased 300,000 square feet in northwest Houston, and commercial real estate executives are getting requests from other construction-related companies.

"Harvey is giving the industrial market a nice shot in the arm," said Justin Bennett, senior vice president for DCT Industrial Trust.

Most of these new tenants are paying rent. But a handful have found landlords willing to donate square footage. One company even delayed its Houston opening to assist with Harvey.

R2 Corp., an Austin-based asset management and electronics recycling company, was supposed to open its first Houston location on Sept. 1. Instead, it's sending local work to Austin and focusing on Harvey relief.

"It was what was needed," said Robert Erwin, vice president of the company's Houston location. "Houston is in shambles."

He took a roundabout path for getting the 81,000-square-foot warehouse involved. It started when Erwin wanted to use his boat to rescue people during the storm. But his boat was in the shop, so he borrowed one from someone selling a boat on Craigslist.

As Erwin rescued people, he got to know members of the Harris County Sheriff's Office. He mentioned the empty warehouse space, and the Sheriff's Office started sending non-local first responders. It provided a secure area to store boats and air-conditioned offices for sleeping.

Shortly after the first responders returned home, the International Brotherhood of Teamsters came knocking.

"'Aren't you guys the picket people?' He literally said that," said Robert Mele, president of Teamsters Local 988, which represents freight workers.

His local, as well as Teamsters Local 19, which covers mechanics and flight simulator technicians, and Local 919, which covers brewery and soft drink employees, were expecting about 50 trucks from other Teamsters Locals around the country.

"We don't want to warehouse stuff," Mele said. "We want to get it in, get it out and then move on to whatever is needed next."

Erwin offered up the R2 Corp. warehouse. Mayor Sylvester Turner's office and the National Association of Christian Churches have also used the warehouse. Volunteers from organizations representing various ideologies have been on hand to sort through the water, diapers, mattresses, buckets, toys and other donations.

By the end of this week, 300 to 400 trucks will have dropped off supplies, Erwin said. He expects shipments of furniture and school supplies in the next week or two, and then he's expecting rebuilding supplies to ramp up.

Erwin said he wouldn't be surprised if roughly half the warehouse is used for Harvey through 2018. The facility will lose hundreds of thousands of dollars if operations don't resume at some level in the next few months, but he said R2 Corp. is cash-positive and can afford to donate space.

Overall, industrial real estate remained fairly stable during the oil price crash, despite being slightly overbuilt in some markets when prices were \$100 a barrel. The petrochemical boom helped absorb some of that supply, and this sudden need for space after Hurricane Harvey will help absorb even more of it.

"The rebuilding effort has provided a boost to the warehouse market in Houston," said Jim Foreman, an executive director at Cushman and Wakefield. "Probably more of a short-term boost, but certainly a boost."

Short-term leases aren't especially attractive, but they're better than having the space sit vacant.

The fear of sparse warehouse space has also prompted non-relief companies to sign leases more quickly, Foreman said. Several were considering space before Hurricane Harvey and were quick to finalize those leases once the storm passed.

Since the industrial market is a bellwether for recovery, it's encouraging that organizations are leasing space so quickly, said Robert Kramp, director of research and analysis for CBRE in Texas and Oklahoma.

"Transaction volume in the industrial sector is indicative of how quickly relief and recovery efforts are up and running," Kramp said.

Brody Chapman lurched into action in the days following Hurricane Harvey. His house and businesses were spared, so Chapman wanted to help others.

"What can I do to maximize my skill set?" he recalled thinking.

Chapman, co-owner of Lightning Logistics and Spindletap Brewery, said his warehouse space happened to be empty. He offered the 55,000 square feet to a neighbor who works for the Texans, and the space was donated to J.J. Watt's relief initiative. Nonprofits and other organizations have used it, too.

The warehouse has received more than 200 trucks filled with donations, and more than 500 volunteers have sorted through the supplies and sent them to churches, nonprofits and police precincts. Some people stop by hoping to see Watt, and they stick around to help upon seeing the scope of operations.

"I call it the J.J. Watt effect," Chapman said.

His brewery is also collaborating with Parish Brewing Co. to make 60 barrels of Operation Juice Drop, a New Englandstyle IPA that will hit taps around the city on Sept. 30. Proceeds, expected to be around \$200,000, will be donated to Watt's Houston Flood Relief Fund. Chapman said yeast, hops and other materials were donated by suppliers.

Mattress Mack continues to give back after Harvey

Khon

September 14, 2017

HOUSTON – For the last few weeks, Gallery Furniture's Mattress Mack has been giving away supplies to Hurricane Harvey victims from his North Freeway store.

But starting Friday, he's switching spots to help folks in Fort Bend County.

From water, to cleaning supplies, for the last two weeks droves of supplies have been coming in, and going out from Gallery Furniture.

Helping hundreds of people affected by Hurricane Harvey, including Tameca Jones, who like so many lost everything, after her home flooded.

"When you go through things, you feel like you're all alone, I feel blessed because when you call 911 the line is busy, you call 311 you can't get through, you call Mattress Mack, they on their way," said Jones.

She's now recovering, using the very supplies she's received.

But starting Friday, supplies that come in from across the country and community will be given out from the Grand Parkway store, giving even more people a chance to start over.

The reason, owner Jim McIngvale, a.k.a "Mattress Mack" says he's doing all this.

"We've gotten more out of it than this people have, because of the tremendous spirit these people have," said McIngvale.

Gallery Furniture and UH Basketball Coach Kelvin Sampson are also teaming up to give away thousands of boxes of clothes this weekend that starts Friday, at the Grand Parkway store from 8 a.m. to noon, until supplies last.

Maryland Woman Helps Hurricane Harvey Victim Replace Mother's Mugs

By Meagan Fitzgerald NBC-4 September 14, 2017

A Maryland woman, touched by a New York Times photo essay that depicted the devastation of Hurricane Harvey on Houston residents, found a way to help a stranger replace some of what was lost.

Ann Dahms, of Frederick, Maryland, read about Shirley Hines, whose home was flooded during the storm. Hines lost most of her belongings, including a set of treasured mugs from her late mother.

Dahms decided to search for the mugs, which were white with a red stripe and gold detailing.

"Whenever she was feeling down, she would get one of those mugs and she said, 'I drink me some coffee,'" Dahms said. "And I just realized she had to have a new one."

Dahms discovered three were for sale online and brought them all.

Manny Fernandez, the Times reporter that spoke to Hines about what she had been able to save after Harvey flooded her home, took his wife, daughter and son to Houston to hand deliver the mugs to Hines on Sunday.

"It was as if God was saying to me, 'It's going to be okay," Hines said. "And I just been telling myself ever since then 'I am so blessed."

The mugs brought back memories for Hines of her mother. The two would sit down and drink coffee together.

"The cup of coffee every morning gave her strength for whatever awful day was ahead," Dahms said. "And everybody needs a cup like that."

MISCELLANEOUS

Harris County Attorney Warns Flooded-Out Homeowners about Predatory Contractors

By Zach Despart <u>Houston Press</u> September 14, 2017

The more than 100,000 Gulf Coast residents who are trying to repair the wind and flood damage to their homes caused by Hurricane Harvey do not need any additional challenges. But now Harris County Attorney Vince Ryan is warning homeowners to beware of contractors looking to scam them.

"Unfortunately, with every major disaster comes unscrupulous home repair contractors, many from outside of Texas, who prey upon desperate homeowners struggling to make repairs quickly and get back to their normal lives," Ryan wrote in a news release on Wednesday.

Randy Smidt, the managing attorney for the compliance division, said the county attorney's office has not received any allegations about contractor scams, but said investigators are on the lookout for them.

"We just hope that everyone can benefit from the insight we pulled together," Smidt said.

The county attorney's office offered several tips for homeowners to avoid becoming easy marks:

Do NOT do business with a contractor from out of state or someone who is going "door to door." Try to do business with reputable local businesses only. Get referrals. Check with the Better Business Bureau and Internet complaint boards before hiring a contractor.

- Get a written estimate before you sign a contract. Try to get bids or estimates from 3 different contractors.
- Contact your insurance company before work begins to make sure all procedures under your policy are followed.
- Make sure the work to be done is specified and the price is agreed upon.
- Get a copy of the signed contract.
- Check if your mortgage requires that insurance proceeds be paid directly to your mortgage company subject to periodic inspections of the work. Contact your mortgage company before work begins.
- Do NOT assign your FEMA benefits or insurance proceeds directly to the contractor.
- Do NOT pay for the entire job upfront. If necessary, make only a down payment for the contractor to get started. Make only partial payments in proportion to the amount of work done as the job progresses. Pay only by credit card or check.
- Do NOT make a final payment until you have inspected the work and are satisfied.

Former Houston newspaper editor's waterlogged body found dead in a sandpit two weeks after Harvey

Daily Mail

September 14, 2017

The former editor of the Houston Chronicle was found dead on Tuesday after going missing in the aftermath of Hurricane Harvey two weeks ago.

Jim Simmon's waterlogged body was found on in a sand pit more than 20 miles from his home.

Police believed the 63-year-old, who was diagnosed last year with dementia, drowned in the flood water, according to the Chronicle.

His body was found by a man in Fort Bend County who was out looking for cattle.

The father-of-two was last seen on August 30 when he left home in a Houston Astros cap to get a coffee at his favorite shop down the street.

Six hours later he called his son Luke Simmon, who he lived with, and said he was lost and and at the Fort Bend Aquatic Center roughly 20 miles away from home.

Luke told him to wait there, but by the time he arrived his father was nowhere to be found.

Jim's family searched for him for two weeks through shelters and online forums.

A Handful of Stranded H-E-B Employees Powered Through Harvey Together

By Gwendolyn Knapp <u>Houston Press</u> September 14, 2017

When you ask manager Ricardo Estrada what his job is at the H-E-B Buffalo Market, 5225 Buffalo Speedway, he'll be the first to tell you that he's a bit of an everyman. Upbeat and congenial, the lanky University of Houston graduate, whose wife also works for the company, is exactly the type of person you'd want to have in charge, if say, you ever got stuck in a grocery store for a night. In this case, that night happened to be when Hurricane Harvey rolled through Houston, unloading its deluge of flood waters on the city. It was Saturday, August 26, and earlier in the day, it hadn't rained as much as the city had expected. Then night came.

"We were closing the store at 9 p.m. We had a few customers, not that many."

Estrada and his own managers and store director had worked tirelessly to get everyone home as safely as possible earlier in the evening. A night crew had come on early, to get their work done receiving trucks and stocking shelves, attempting to get ahold of what had to be done after working some of the busiest days the grocery store had ever seen.

Thursday and Friday at the store had meant 20 lines of customers, hundreds deep, backed all the way from the registers to the ends of grocery aisles all day. Still, people had been extremely nice to the H-E-B employees, "partners" as they're called, and extremely appreciative. By Saturday night, most of the 330-deep staff had gotten home safely when closing time rolled around.

"There were 11 of us," Estrada says. "By 9 p.m. it was just, like, there was no way we were going to get out of here."

Beyond the windows, out in the empty parking lot, the rain had started to come down with the ferocity of those giant dump buckets in a water park splash zone. The 11 partners inside included the usual night crew— Charmaine Andrepont, a receiver who usually worked alone on the dock, receiving trucks and unloading and organizing pallets in a manner that would put any Tetris whiz to shame; she'd left her nine-year-old son with his grandma. There was wise-cracking night stocker Nick Larralde and stock controllers Terrance "T-Bone" Moore, a quiet guy built like a Texan linebacker, and Bryan Sylle, a gregarious type who'd also gone through Katrina in his hometown, New Orleans.

Then there were three partners who were under 18, one in grocery service, one from deli, one from bakery, who'd all been informed by their parents that the streets were too flooded for them to attempt to come home. Two couldn't be picked up. One was forbidden from driving. Safer at the H-E-B: that was the consensus.

"I was really concerned for them," Estrada says. "I was having them contact their parents every hour. Video chat with them, so we knew everything was okay."

Much like a mall seems perfectly suited for a zombie apocalypse, so does a grocery store does seem like the best potential place to be trapped during a natural disaster. The crew had food and water. They had television in the breakroom. The power never went out. The store did not take on water. It was just, well, really freaking cold in there. Grocery stores typically run cold due to the nature of refrigeration and freezers containing perishable foods. Add to that the fact that it was summertime in Houston and there were zero customers inside, and well, the frigid air conditioning wasn't helping matters.

It was pretty much imperative that they did work just to stay warm. They worked their butts off for hours, stocking a truck that had come in that day, getting shelves in order, cleaning and organizing— what they call "facing the store," getting it ready for customers. Many of them were doing jobs they'd never done before. Management gave them the go ahead to eat and drink what they wanted. Estrada fired up the ovens in the deli area with the help of his deli employee and cooked lemon pepper chicken and fried rice for the crew. But when it came time, in the early morning hours, after the urging of numerous managers' calls and texts, to get some rest, the team found it nearly impossible to find a comfortable spot.

"It was just so cold," Andrepont says. "Whew, lord."

She herself laid down on pallets for a couple hours, but found it no use. She also made a makeshift nest of paper towels in a grocery aisle, where she could lie down and text or Facetime with her son and family. While the six-foot-seven T-Bone took over a manager's office, putting cardboard in the windows to block out the light, Lynne made a veritable sleeping fort out of black plastic pallets in the back of the store, topping it with a few random H-E-B banners he'd found in an office and lining the bottom with market coats, similar to doctor's coats. He also threw one on top of himself to stay warm. He slept for nearly six hours. "Like a baby," he told Estrada when he awoke. Others weren't so lucky. David Mendonca snapped a photo of the dozen Starbucks bottled Frappucinos he'd ingested, empty and lined up near the register like bowling pins.

When morning light came, the three youngest partners were able to leave. But the seven others and their supervisor Estrada stayed on to work. Some had flooding. Some had no electricity. Some had no damage, but knew they could not get home due to inaccessible highways.

By that time, it was also evident that the produce section had taken on a bit of water, not from flooding, but from an overflowing gutter attached to the building. They worked even more to clean up the area. By Sunday evening, they'd faced the store yet again in hopes that they could reopen on Monday. Customers had been circling in cars all day, and Estrada had turned away a few who'd come to knock on the doors despite signs in the windows explaining the closure, the lack of staff.

Sunday came and went, and the eight person crew was facing another night spent in the store, when their boss Brenda Lynch called from Cypress, telling them to take the corporate car to the closest hotel, a Courtyard Marriott a block away.

They grabbed toothbrushes and toothpaste. Snacks galore. Some used it as a chance to try unusual foods. For Larralde, that meant trail mix. For Sylle, it was raspberry and pineapple preserves.

"It was like Supermarket Sweep," he jokes. "Preserves are good. The pineapple is a little chunky, but real creamy and sweet." He ate them straight out of the jar.

"Not even any bread," T-Bone adds.

While the guys stuck to one room, Andrepont got her own. "It was down to the point of having to handwash my own clothes," she says. "But they had an iron and a hair dryer in there. I knew what to do."

The crew returned to H-E-B on Monday morning, believing they could reopen. There were cars circling the lot. People lining up at the doors, but it still wasn't safe enough for a feasible amount of H-E-B employees to get there and open. Lynch, who lives in Cypress, tried to drive in but couldn't find a way. "You had 99 flooded. The Beltway was flooded. I tried 290 but couldn't make it that way either."

For many H-E-B employees, the week after Harvey would actually be spent working in stores they didn't normally report to, those closer to their homes, though they didn't know that yet. Even at Buffalo Speedway, the store would take on many

of Meyerland's 90 partners with the store closed indefinitely, and many more partners would come in from out of town to help getting Houston's H-E-B locations back on their feet.

The skeleton crew worked alone again all day Monday, culling the produce, tossing out fruits and veggies past their prime, going through the meat and dairy sections and doing the same. Cars circled in the parking lot, a line had even formed at the door, but Estrada talked to customers and explained there would be no way to open because there weren't enough people to even check them out. The store, at that point, was being held together by night stockers, a receiver, and their trusty leader, all of them separated from family, all of them sacrificing their own personal lives to get the store ready for customers. Still, morale never waned. The crew played cards, took breaks to eat, to talk.

"I mean, Ricardo can cook," Andrepont says. "He made us all sorts of good food. Wings. Fries. It was good."

Estrada also cooked loaves of bread from the bakery. "We all were doing a little bit of everything," he says. "We were staying busy. We didn't want to have that feeling of being stranded. And we didn't. Throughout the entire time we were positive." Except concerning one minor detail. The piped-in music over the loud speaker. That, they decided, could be turned off for once.

After facing the store again and cleaning, the crew departed for the hotel once more on Monday night. A call came from Lynch early on Tuesday morning.

"Are you guys ready to open the store?" she asked Ricardo.

They were ready. They pulled up once again in the corporate car and headed for the door, passing customers pleading with them to be let in. Word had already spread that other grocery stores in the area, including H-E-B locations, were only letting in handfuls of people at a time as a means of crowd control.

"I just took one look at them," Lynch says of the customers. "It was raining. They were all huddling together with their umbrellas, and I said, we have to let them all in."

The Buffalo Speedway store was special in that regard because the size of the parking lot actually contained the crowd, and it got no busier really than it did on a crazy Saturday or Sunday. Despite the stresses of Harvey, Lynch says, the customers were "almost even calmer and even more appreciative than they had been on Thursday before the storm."

"Every 30 seconds you'd hear it," Estrada says. "It didn't matter what section you were in, produce, at check out. Customers were telling all our partners thank you."

Customers also broke out in applause five times that day, once solely for the crew that had kept the store ready to go since Saturday night. What's more, those very employees, including Andrepont, kept working throughout Tuesday until they were asked, ever so politely, to please go home and get some sleep.

"I was at check out," Andrepont says, "And there was a woman who came through that spent \$700. She was buying all sorts of home items. A hair dryer. A flat iron. She said she lost everything she had and they had to start over. Then she asked if I'd been home yet and I said no. And she said, well, I hope when you get there, it's okay."

After essentially working from 2:30 p.m. on Saturday to 4:30 p.m. on Tuesday, she did get home and it was okay. Her son was excited to see her, asking her how her week was, also asking, "Are they going to pay you extra? Can we go to Game Stop?"

"That was his first question," Andrepont laughs. H-E-B did pay her extra, along with the entire crew that got stranded — time and a half including the hours they'd spent at the hotel—though she wouldn't know that until her next paycheck. She told him she did not, in fact, want to go to another store at that very moment or any time soon. She laid down on the bed. I'm just going to lay here next to you, her son said.

"He always knows what to say to get his way," she jokes, but together again, side by side, they slept.

SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/14/17 1507 CST

Compiled by: Zella Campbell & Bree Constance Huffin

This report is being distributed to the 4332 Joint Field Office, FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, Red Cross, USCG, and HHS/ASPR.

Summary: The conversation as it relates to Hurricane Harvey has increased since earlier in the week due to less real time conversations towards Irma. It has been be an increase in the unemployment rate since Harvey. A lot of the survivors are extremely frustrated with the lack of help with the process, long wait times and or not even getting through. Residents are responding positively to the Texas Workforce Commissions \$30 million National Dislocated Worker grant from the Department of Labor. Local Southeast Texas residents look forward to the temporary floating barges that will provide housing for survivors. Local residents continue to share helpful information to their fellow survivors about debris removal and trusted sources of information regarding recovery. Collins and Myers Park will reopen including the Myers dog park. Three additional Disaster Recovery Centers have opened in the Houston area. Both the public and local residents are expressing positive reactions to a local resident using your extreme couponing skills to help provide food and basic living needs to survivors.

Report sections

- FEMA Conversation
- Operations
- Public Perception
- Rumors/Misinformation

FEMA Conversation

A local resident post sharing <u>FEMA Hurricane Harvey disaster page</u> to inform survivors that this is the trusted source of information is gaining positive but moderate attention from both local and non-local residents.

Operations

Recovery:

- As of yesterday 18:28 ET Harris County Precinct 4 stated that both <u>Collins & Myer Park will reopen</u> today bright and early.
- As of yesterday at 21:30 ET the City of Houston Office of Emergency Management announced <u>three additional Disaster Recovery Centers opened</u> in the Houston area.

Public Perception

- A local news article discussing the issues survivors are having while <u>trying to apply for unemployment</u> is receiving a lot of frustrated engagement from survivors.
 - o A lot of survivors are stating that they are having very long wait times or just not getting through at all.
 - Some survivors are frustrated with the having to miss out with at least 3 weeks of work rule to get approved for funds.
- Local news article discussing that the <u>Texas Workforce Commission</u> has been awarded a \$30 million National Dislocated Worker grant from the Department of Labor is gaining positive but moderate attention from local and non-local residents.
- A local resident post sharing <u>other debris removal options</u> to survivors is gaining positive but moderate attention from local and non-local residents.
- A local resident post stating that they are <u>providing free electrical poles</u> to survivors whose homes electrical service is completely damaged is receiving a lot of positive reactions and engagement from local residents.
- A major news outlet article discussing the <u>floating barges to provide temporary housing</u> for survivors is gaining moderate but positive engagement from survivors.
- A major news outlet discussing a San Antonio, TX resident using her <u>extreme couponing skills</u> to help provide food and basic living needs for Hurricane Harvey survivors is receiving a lot of positive reactions from both the public and survivors.

Rumor/Misinformation

- A major online blog post puts an <u>end to the rumor of an image that surfed online</u> stating it was a meal from the Red Cross shelters served to survivors but was really a school lunch from 2014 has gained mixed commentary from both local and non-local residents.
 - o Some feel as if even if the picture was real that it should have not been any fuss over it because any meal when you are completely without should not matter.
 - o A few people are sadden by people who choose to post fake information to make the Red Cross look bad.

From: FEMA-ESF15-Coordination [FEMA-ESF15-Coordination@fema.dhs.gov]

Sent: 9/14/2017 1:41:09 PM

Subject: FEMA: TX-4332-DR -- Media Analysis Report/Morning Edition

Attachments: image003.emz; TX 4332 Media Monitoring Report 09142017MorningEdition.pdf



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Hot Issues

None

News Clips Analysis/Trends

- The challenges of recovery and the big question for survivors of what to do next seem to dominate print and broadcast stories. Coverage is focusing on the opening of additional Disaster Recovery Centers, the scarcity of housing, and a widely used AP story focusing on the use of floating barges to provide housing for survivors in southeast Texas.
- FEMA coverage remains steady with stories focusing on survivor registration assistance, housing problems, and questions and concerns regarding the application process.
- There has been great concern over contaminated floodwaters after Harvey with print articles dominating coverage. A New York Times piece revealed dangerous levels of toxins in Houston floodwaters.
- Wide coverage continues to focus on volunteerism, donations and charities with celebrity-laden telethons raising millions of dollars for flood survivors.
- Hurricane Irma continues to get most of the attention as it causes devastation to the Florida Keys and the recovery process gets underway.

Social Media Analysis

On social media today, scams, neighborhood debris issues and flood insurance continues to be on the minds of Texans. While there are some positive supportive posts about FEMA in general, the posts discussing Harvey and Texas tend towards negative sentiment.

Summary of Coverage

- Disaster Recovery Center opens in Webster
- New home for Disaster Recovery Center in Houston downtown building
- FEMA helps Houston evacuees with next step
- FEMA warns hurricane survivors of false contractors
- Jefferson County left off FEMA list
- Why FEMA denied disaster housing assistance for Jefferson County
- Rockport residents still reeling from Harvey concerned as focus shifts to Irma
- Floating barges to provide housing for Harvey survivors
- Dangerous toxins found in Houston floodwaters
- Houston residents exposed to contaminated floodwater
- FCO Hannes visits responder camp at Cabaniss Field
- FEMA answers questions on Facebook Live tonight
- Texas calls in Air Force to combat mosquitoes
- What you need to know about hurricane disaster aid
- Harvey flood insurance claim questions answered
- Hurricane evacuees get physical and emotional support in San Antonio
- FEMA approves funds to help with Garland flooding
- Texas businesses being sued over price-gouging during Harvey
- Short-term food assistance available to Houston flood survivors
- Be on the look-out for water damaged vehicles in car lots
- A lot of work ahead to recover from Hurricane Irma
- Florida Governor vows to rebuild Sunshine State
- Ex FEMA chief says \$15 billion disaster fund won't last 30 days
- Nueces County begins recovery process after hurricane damage

- Despite losing money the government continues to sell flood insurance
- After devastating hurricanes Lloyd's demands U.S. reforms
- Rebuilding after major hurricanes could cause more flooding
- Some hurricane-damaged schools still closed
- There are numerous ways to donate food and supplies for hurricane survivors in Central Texas
- Volunteers set to clean up storm-ravaged beaches on Texas coast
- Hand-in-hand Telethon raises \$33 million for hurricane relief in Texas and Florida
- Texas Strong concert for Harvey relief to be held in Austin
- Social Media

Notable Quotes

"I hope people don't forget about Rockport. We need the help." - Ruben Sazon, Rockport resident

"It's very devastating to be in a shelter. It's kind of hard, but we are getting everything we need. We are treated well. The Red Cross is amazing, and [the San Antonio Police Department] has been excellent and a great informational source for help around San Antonio." – Alex Spero, Houston resident

"We provide help and support for clients and staff in the shelter. [Our] role is to offer support, advocate for staff and clients, [and] when people ask us questions we help them find the right resource." – Lynn Hottle, Red Cross volunteer from Maryland

"We got lucky when Hurricane Harvey avoided Austin, but though it missed us, it hit our neighbors hard. Every time I've asked you to help our neighbors you've risen to the challenge."- Steve Adler. Austin Mayor

Headlines

Additional FEMA Disaster Recovery Center Opens In Harris County

Disaster Recovery Center to move to new downtown building

Harvey Evacuees In N. Texas Shelters, Hotels Prepare For Next Step

FEMA Warns Hurricane Victims on False Contractors

FEMA left Jefferson County off its list

Barges to provide housing for some Harvey-displaced Texans

Here's why FEMA left Jefferson Co. off flooded housing list

Harvey Victims In Texas Still Recovering As Focus Shifts To Irma And Florida

Looking for Answers, Times Reporters Tested the Water in Houston

After Hurricane Harvey, Some Texans Are Walking in Streets Contaminated With Their Own Poop

Head of FEMA operations in Texas visits first responder camp at Cabaniss Field

KZTV hosting Facebook Live with Andy Liscano, FEMA spokesperson

Swarmed With Mosquitoes After Harvey, Texas Calls In The Air Force

Hurricane Disaster Aid: What You Need To Know

Answering Your Insurance Claim Questions After Harvey

Harvey Evacuees Receive Physical, Emotional Support In San Antonio

Road Construction To End Soon In Garland

Texas AG sues businesses for price gouging during Harvey

'Disaster SNAP' open to people affected by Hurricane Harvey

After The Hurrricanes, Watch Out For The Flood Of Damaged Cars

Fla. Gov. Rick Scott: 'Work To Do' For State To Recover After Irma

Florida Governor Vows To Rebuild Sunshine State

Hurricane Irma And Harvey \$15B Disaster Fund Won't Last 30 Days, Says Ex-FEMA Chief

Social Media

Recovery

Nueces County recovery includes mosquito spraying, debris pickup and FEMA assistance

NFIP and Flood Mapping

Why The Government Sells Flood Insurance Despite Losing Money: NPR

Lloyd's Demands US Reforms After Devastating Hurricanes

Will Rebuilding After Hurricanes Harvey And Irma Make More Flooding Inevitable?

Schools

HURRICANE HARVEY: Some damaged Texas schools still closed

Volunteers/Donations/Charities

How to donate food, supplies to Hurricane Harvey victims in Central Texas

Volunteers needed for beach cleanups

Luke Bryan Invites Hurricane Harvey First Responders to Houston Show

Willie Nelson, Paul Simon join Texas Strong concert for Harvey relief

Stories

Additional FEMA Disaster Recovery Center Opens In Harris County

Houston Public Media

September 14, 2017

A State of Texas/FEMA Disaster Recovery Center will open Thursday, September 14, in Harris County in the city of Webster.

Disaster recovery centers offer in-person support to individuals and businesses in 39 counties, included in the Texas federal disaster declaration for Hurricane Harvey.

Recovery specialists from the Federal Emergency Management Agency (FEMA) and the U.S. Small Business Administration (SBA), the State and other agencies will be at the center to talk about assistance and to help anyone who needs guidance in filing an application. The new center is at the following location:

Webster Civic Center 311 Pennsylvania Avenue Webster TX 77598

Hours: Daily, from 7 a.m.-7 p.m.

The U.S. Small Business Administration's (SBA) disaster assistance employees are committed to helping businesses and residents rebuild as quickly as possible. SBA representatives are available to answer questions about SBA's disaster loan program and help business owners and residents apply to SBA.

If possible, homeowners, renters and businesses should register with FEMA before visiting a recovery center. Eligible residents may register for assistance the following ways:

Online at DisasterAssistance.gov.

Phone 800-621-3362 (voice, 711/VRS-Video Relay Service) (TTY: 800-462-7585). Multilingual operators are available (press 2 for Spanish).

Via the FEMA app, available for Apple and Android mobile devices. To download visit: fema.gov/mobile-app.

The following information is helpful when registering:

Address of the location where the damage occurred (pre-disaster address).

Current mailing address.

Current telephone number.

Insurance information.

Total household annual income.

Routing and account number for checking or savings account (this allows FEMA to directly transfer disaster assistance funds into a bank account).

A description of disaster-caused damage and losses.

Disaster survivors can visit any of the centers for assistance. Locations of other recovery centers are online at www.fema.gov/DRC.

Homeowners, renters and businesses in Aransas, Austin, Bastrop, Bee, Brazoria, Calhoun, Chambers, Colorado, Dewitt, Fayette, Fort Bend, Galveston, Goliad, Gonzalez, Hardin, Harris, Jackson, Jasper, Jefferson, Karnes, Kleberg, Lavaca, Lee, Liberty, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Sabine, San Jacinto, Refugio, San Patricio, Tyler, Victoria, Walker and Wharton counties may be eligible for help.

Disaster Recovery Center to move to new downtown building

Houston Chronicle By Brooke A. Lewis September 13, 2017

The State of Texas/FEMA Disaster Recovery Center will move to a new downtown building starting Thursday, according to a news release from the agency.

The center currently located in the George R. Brown Convention Center is going to move to the Netrality Builiding at 1301 Fannin Street.

It will open Thursday from 10 a.m. to 7 p.m., and then begin normal daily hours from 7 a.m to 7 p.m following its grand opening.

Disaster recovery centers assist victims and other businesses, who are included in the Texas federal disaster declaration for Hurricane Harvey. There are 39 counties included in the declaration.

Recovery specialists from FEMA and the U.S. Small Business Administration are available to talk with storm victims and also assist them in filling out applications.

The U.S. Small Business Administration also can help those interested in applying for their disaster loan program.

Homeowners, renters and businesses should register with FEMA before visiting a recovery center.

Harvey Evacuees In N. Texas Shelters, Hotels Prepare For Next Step

KTVT-TV, Dallas, TX

By Jack Fink

September 13, 2017

DALLAS (CBS11) – Derrick Hayes of Houston left the Dallas mega-shelter on Tuesday after escaping Hurricane Harvey's floodwaters late last month.

While FEMA put him and his family up in a downtown hotel for 30 days, he said he attended a housing fair for evacuees Wednesday to find a more permanent place to live.

"I'm searching around for me and my family, trying to see what's better for me and my family, trying to see what's best," said Hayes.

FEMA spokeswoman Rita Egan said a number of agencies are helping evacuees with their next step.

"FEMA, the state of Texas, and Housing and Urban and Development, other federal agencies and state agencies are working diligently to come up with a long-term program for housing," said Egan.

Egan said the Hayes family may be eligible to have their hotel stay extended before they have to move out. She recommends evacuees remain in contact with FEMA, especially if their situation changes.

The Red Cross says more than 2,000 evacuees remain registered to the three shelters in North Texas. No word when the facilities will close.

As for Derrick Hayes and his family, they're trying to figure out if they should start over in Dallas or try to return home to their apartment complex. "It's kind of unknown right now because it was under-water."

For now, he's making the best of it, as he makes his third or fourth trip between his hotel and shelter to pick up supplies for his family. "Someone has to do it. It's a good work-out. I haven't rode a bike since I was younger. So it's about time I get back to it."

FEMA Warns Hurricane Victims on False Contractors

KRGV-TV, Rio Grande Valley, TX

By Ana Anquiano

September 13, 2017

WESLACO – Millions of people are impacted from not only Hurricane Harvey, but from Hurricane Irma as well.

Relief organizations including the federal emergency management agency are all tasked now with not only the cleanup, but also with rebuilding efforts.

CHANNEL 5 NEWS spoke to FEMA about the work they're doing to help people in hurricane ravaged areas to recover.

FEMA representatives said they too are swamped with the work.

Deanna Frazier, FEMA media relations manager, said the agency is now working with outside agencies to help get the job done.

There is a broad range of positions available from customer to logistics to mechanical engineer. The work would only be temporary, but it will be full time.

"FEMA cannot do it all. And so that is the bottom line. So we need to contract with outside agencies and outside individuals to help us get our job done," stated Frazier.

The public should beware of people or companies who say they are doing contract work with the government. Those phony job ads can often be found on Facebook.

CHANNEL 5 NEWS reported on one last week. The post said FEMA was hiring a thousand people and offering \$2,000 a week. That post turned out to be illegitimate.

If anyone is interested in applying for an official FEMA position, they can find a list of jobs on the FEMA website. They may also search for legitimate positions on the Texas Workforce Commission website, just type "FEMA" in the search engine to see job listings.

FEMA left Jefferson County off its list

Beaumont Enterprise
By Dan Wallach Published
September 13, 2017

Precious Armstrong and her family lived in the Tram Road area until Harvey allowed the uninvited Pine Island Bayou to move in.

The storm sent Armstrong, her husband, William, and their two little girls to hard-hit Houston, of all places to seek shelter.

Since Armstrong couldn't commute to her job in Beaumont with National Oil Well, the family has moved in with her mother locally until a better situation can be worked out.

That might be tough because FEMA originally left.

Jefferson County off its emergency housing list. County Judge Jeff Branick spent Monday on the phone with state and federal officials to get the county listed.

Branick said he got a text at 5:44 a.m. Tuesday informing him that FEMA now recognized the county's critical housing shortage.

"They thought we had plenty of hotels and apartments," said Branick with just a bit of frustration.

"We did three weeks ago, but we don't now," he said.

Armstrong's home is covered by flood insurance - "Thank God," she said - but that's a longer-term fix. Right now, along with thousands of others with flood-damaged homes, she needs temporary housing. "I hope it'll be a place to stay, like a travel trailer on my property or an apartment, though they might be tough to come by," she said.

On Tuesday, Armstrong was out shopping for her 6-year-old daughter London's school supplies, which were lost in the flood. London starts school today at Legacy Christian Academy.

Also starting today at 7 a.m. is the FEMA disaster assistance center in the old Goodwill store space at Gateway Shopping Center, 3871 Stagg Drive.

The center will have staff there to help people register for disaster assistance or to check on their status if they already have registered at www.disasterassistance.gov.

Armstrong said she tried to apply online, but the website is overloaded and she can't get on yet. FEMA figures show that 221,000 people from Texas have had requests for registration approved so far out of 708,000 requests, a figure expected to spike sharply upward in the coming days.

So far in Jefferson County, almost 59,000 people registered, with approvals of \$12 million in assistance. The figures from around the region show that urban areas were hit harder than rural counties, but figures from across the region are expected to climb once people are able to get back to their homes to assess damage.

"The disaster is still unfolding," said Deanna Frazier, spokeswoman for FEMA in Texas.

Generally, in disasters, FEMA opens registration for assistance for 60 days, but Texas doesn't even have a start date because people are still displaced, she said.

That means no cutoff date has been determined.

"We're looking at ways to provide long-term housing," she said.

Frazier said a decision on what to provide should be reached by the end of the week. That could be manufactured houses, travel trailers or rentals, if any apartments or undamaged homes can be found.

The main FEMA assistance program is the Individuals and Household assistance program. It offers repair assistance or addresses other critical needs displaced people might have.

In Jefferson County, which has about 81,000 single-family homes, an estimated 14,000 to 16,000 are flood-damaged, including 3,000 in unincorporated areas like Bevil Oaks, Northwest Forest, the China-Nome area, and Hamshire, Branick said.

Port Arthur is particularly hard-hit with about 7,000 homes flooded; Groves, 2,700; Port Neches, 572; Beaumont, 2,000.

Greg Fountain, the county emergency management coordinator, said less than one-fourth of single-family homeowners carried flood insurance.

Branick said one of the earliest efforts people will see is the STEP program, or Sheltered Temporary Electric Power.

That means contractors can get into homes and tear out flood damage and help make the places livable in the short term. That could take between one and two weeks to start up.

"It'll help make the house safe and healthy so people can shelter in place," he said.

Dan Wallach is a freelance writer.

Here's why FEMA left Jefferson Co. off flooded housing list

Beaumont Enterprise By Dan Wallach September 12, 2017

A FEMA bureaucrat in Washington, D.C., chose to leave Jefferson County off a list of Texas counties struck by Harvey because there were ample hotel rooms and rental housing available, said County Judge Jeff Branick.

"There were three weeks ago," said Branick, who worked the phone almost all of Sunday to straighten out the housing mess.

"As of 5:44 a.m. (today) we were approved for direct housing assistance," Branick said.

That means the residents of an estimated 15,000 homes in Jefferson County will be eligible for various levels of recovery through FEMA, Branick said.

"We had 4,000 evacuate through the (Jack Brooks Regional) airport, thousands more by bus and we can't repatriate them," he said.

One of the most immediate avenues of assistance will be what's called the STEP program, or Sheltered Temporary Electric Power

That will provide the ability for contractors to come into a flooded home, rip out sheet rock and flooring and help make the home habitable so people can shelter in place.

"It won't be aesthetically nice, but it will be safe," Branick said.

That help might be available in one to two weeks, he said.

Branick said he has seen entire neighborhoods in south county cities with debris piled up. However, in some Port Arthur neighborhoods, many lack the ability to tear out flood damage or the resources to hire contractors and the FEMA program should help.

The same applies in the county's northwest, like the Bevil Oaks area and Pinewood and Northwest Forest where residents have not been able to get back in.

In Port Arthur, about 7,000 homes were flood damaged. In Beaumont, about 2,000 were damaged. Thousands of rental units for low-to-moderate income were inundated, Branick said.

Community block grant money flowing from the federal to state government could take a couple of months, but should flow much more quickly than it did after Hurricane Ike in 2008, Branick said.

A FEMA disaster assistance center will open near Christus St. Mary in Port Arthur on Wednesday and the Beaumont assistance center at the old Goodwill office at Gateway Shopping Center, Mobile offices should be available soon in the northwest areas of the county, Branick said.

People who suffered damage in the flooding should register with FEMA at disasterassistance.gov

Harvey Victims In Texas Still Recovering As Focus Shifts To Irma And Florida

USA Today By Rick Jervis September 13, 2017

After Hurricane Harvey battered his apartment and flattened his art studio in Rockport, Texas, Ruben Sazon worried that Houston's dramatic floods would overshadow his coastal city's devastation.

Now, there's a new disaster drawing attention away from Texas altogether: Hurricane Irma rumbled over most of Florida over the weekend, extending damaging winds and pounding rains into Georgia and Alabama and leaving a trail of destruction.

"I hope people don't forget about Rockport," said Sazon, as he drove around Corpus Christi recently looking for a new apartment. "We need the help."

Residents and leaders across Houston and Southeast Texas are in the midst of a mud-caked recovery from Hurricane Harvey after unprecedented floods and winds – from Katy to Orange to Rockport – ravaged the area.

Harvey is estimated to have caused up to \$160 billion in damages, impacting more than 100,000 homes and making it one of the costliest natural disasters in U.S. history. President Trump last week approved \$15 billion in disaster aid for Harvey victims.

Irma drew a lot of national media attention away from Texas, as it churned over Caribbean islands, sideswiped Cuba and rumbled into Florida. But the federal, state and local response to Harvey has gathered good momentum and won't be slowed due to Irma, said Nueces County Judge Loyd Neal, whose area includes Port Aransas, a beach town that was one of the hardest hit by Harvey.

Trump and Vice President Pence visited the battered Texas Coast late last month and met with Neal and other local leaders. Also, Texas Gov. Greg Abbott last week appointed Texas A&M University System Chancellor John Sharp to lead a disaster task force that will oversee recovery efforts.

Port Aransas's immediate need is to find a way to haul away the quickly-mounting mounds of debris pulled from storm-damaged homes, condos and businesses, Neal said. About two-thirds of the city's 2,700 condo units were destroyed in the storm.

But power, sewer and water were recently restored to the barrier island and recovery has been steady, he said. "[Abbott] is not going to let us be forgotten," Neal said. "Neither are his staff and people."

The close timing of the disasters that hit Texas and Florida created a kinship between first responders in the two states. In one of several such instances, Florida dispatched 100 game wardens to Texas as the floodwaters rose, and Texas responded recently with 100 of their own game wardens as Irma approached, said state Rep. Dade Phelan, whose district covers Orange, Port Arthur and other areas impacted by Harvey.

"Having just gone through one of the most expensive and catastrophic storms that's ever hit the U.S., we're certainly sympathetic" to Florida, he said.

Phelan said he is less concerned about politics interfering in the distribution of federal aid to Texas and Florida – Florida, after all, is an important swing state in presidential elections, while Texas is reliably Republican – and more worried about the back-to-back disasters making rebuilding supplies scarcer in the region.

Already area stores have been reporting shortages of carpets, tiles, cabinets, plywood and other materials needed to rebuild homes, he said.

"Irma's going to tax that," Phelan said. "There is going to be a shortage of supplies out there and a whole lot of demand."

In Houston, recovery has been a patchwork, with some residents back at home and returning to work, while others just returning to flood-ruined homes or still in shelters, said Zakary Rodriguez, a Houston high school teacher and community activist.

The attention shift from Texas to Florida will mostly affect those still struggling with recovery, including undocumented immigrants and families in shelters, he said. Zachary volunteers at the shelter at the NRG Center in Houston, which, as of Saturday, still housed several thousand evacuees.

"At this point, if they're not back in their home, they have no home to go to. They're homeless. They've lost everything," he said. "Those are the ones feeling most abandoned."

Barges to provide housing for some Harvey-displaced Texans

KXAN-TV, Austin, TX

September 13, 2017

PORT ARTHUR, Texas (AP) — Government officials say floating barges outfitted with living quarters will provide temporary homes for hundreds of Southeast Texas residents displaced by Hurricane Harvey.

Port Arthur Mayor Derrick Freeman on Tuesday announced the housing plan for as many as 600 people left homeless after Harvey. Freeman says two floating barges will provide living space and three meals a day, plus laundry facilities.

Rockport family renovating home before Harvey hit face enormous costs

Jefferson County Judge Jeff Branick says the two berthing barges are especially meant to help families.

The Navy has used berthing barges to house military personnel at times when ships were undergoing repairs.

Port Arthur is 80 miles east of Houston.

Looking for Answers, Times Reporters Tested the Water in Houston

New York Times By Sheila Kaplan September 13, 2017

For survivors of a disaster like Hurricane Harvey, the danger isn't over when the waters recede. In most floods, especially those in a highly industrial — and polluted — area like Houston, the water can carry and then deposit other threats: dangerous bacteria, toxic chemicals from factories and waste sites, plus alligators and snakes.

Times reporters couldn't do anything about the reptiles, but we wanted to warn people about the possibility of getting sick from nasty bacteria and hazardous pollutants. So shortly after the hurricane ended, we embarked on our own scientific analysis of the water in various Houston neighborhoods — the results of which led to an article that we published earlier this week. Our findings were worrisome.

The New York Times took this initiative due to a lack of available data. Neither the Environmental Protection Agency nor the Texas Commission on Environmental Quality would give us any information on what they were testing and what they had found. And while the Houston Health Department was doing some sampling of the floodwaters, it did not have any results to share yet.

Times Insider delivers behind-the-scenes insights from The New York Times. Visit us at Times Insider and follow us on Twitter. Questions or feedback? Email us.

Tara Parker-Pope, the editor of The Times's Well column, suggested we organize our own tests. At first, we considered buying containers and filling them with water and sediment samples ourselves. But reporters are not scientists, and we wanted to make sure our data was accurate — and obtained in accordance with the best scientific practices.

We reached out to Winifred Hamilton, director of the Environmental Health Service at the Baylor College of Medicine, who put together a team that included Lauren Stadler and Qilin Li, researchers from Rice University; herself and Jesse Crain III from Baylor; and Loren Raun and Lisa Montemayor from the City of Houston.

Our agreement was that all information we gathered would become public.

We still needed someone to run the analysis. We called around to various labs and decided on A & B Labs, with an impeccable record and a willingness to analyze the samples quickly.

I won't tell you how much it cost, in case our executive editor is reading this. Celia Dugger, The Times's health and science editor, gave us a sizable budget. She was concerned that nobody yet knew what was in the water, and residents were already returning home in some neighborhoods to start cleaning up.

On Monday, Sept. 4, I flew to Houston, where I met my colleague Jack Healy, The Times's Rocky Mountain correspondent, who had been covering the hurricane virtually since it started.

Tuesday morning, we picked up the sterile containers from the lab and put on our waders, goggles, masks and gloves. Jack and his team headed east to the Channelview neighborhood, along the San Jacinto River. We wanted to test there because it was downstream from several Superfund sites, and residents had reported some leaks.

I went west, to the Clayton Homes public housing complex, in downtown Houston, and then to a suburban area around the Houston Energy Corridor. Ms. Montemayor kindly lent us a boat, and the researchers sailed down along Briarhills Parkway.

What we didn't know then, because it wasn't announced by the Fire Department until Saturday, was that a few wastewater treatment plants had been flooded and had released raw sewage that was carried down the Buffalo Bayou. Our tests also showed that, along the way, the sewage picked up lead, arsenic, chromium and other stuff you don't want your kids to play in

Outside a house at the Clayton Homes complex, there were piles of debris — mattresses, rugs, stuffed animals, algebra books and family photos — atop an upside-down refrigerator.

Inside, there was an unbelievable stench. I took one step and turned around. (Even with a mask, breathing made my throat burn.) But the researchers were stoic and spent an hour taking samples, providing us with the first measure of toxicity inside a flooded house.

The results were terrible: The level of E. coli (an indication of fecal contamination from the sewage) was 135 times what is generally considered safe, and there were raised levels of lead and other hazardous metals. Meanwhile, Jack and his team found a truly dangerous threat: liquid mercury beads, spread out over the sand.

The next day, we went out with a team from Texas A & M, which sampled around Superfund sites, but we are still waiting for those results. Stay tuned for another article when we receive them.

We relied on one crucial person to double-check the data: Charlotte Smith, a microbiologist and water specialist at the University of California, Berkeley, School of Public Health. Ms. Smith generously spent much of her weekend reading hundreds of pages of test data, from our quality control documents to the test results.

We would like readers to know how grateful we are to Ms. Smith, and to other scientists who help make our work possible.

After Hurricane Harvey, Some Texans Are Walking in Streets Contaminated With Their Own Poop

Newsweek
By Dana Dovey
September 13, 2017

Just when you thought the worst was over for Houston, new reports suggest that some neighborhoods are being exposed to floodwaters contaminated with bacteria such as E.coli due to wastewater overflow. Although the drinking water system remains intact, there may be repercussions from external exposure to these dirty floodwaters.

Following the extreme flooding from Hurricane Harvey, sewage and wastewater treatment systems have overflowed in some Houston areas, causing floodwaters to become contaminated with dangerous bacteria, tests organized by The New York Times have confirmed. It's not clear how far the contaminated water has spread, but residents should still treat all floodwater as though it could be toxic and act accordingly.

"I can tell you that as of today, we have 39 wastewater treatment facilities; all 39 are accessible and operational," Yvonne Forrest, deputy director of Houston Water, told Newsweek. "Thirty seven of my 39 plants are meeting the cleanliness requirements."

Two plants west of Houston were completely inundated by floodwaters; at one point they were covered with as much as 10 feet of water. They are still operating, but at low capacity.

Unfortunately, sewage contamination following a natural disaster is nothing new. According to Dr. Michelle Fanucchi, associate professor in Environmental Health Services at the University of Alabama at Birmingham, it's to be expected in any hurricane or case of major flooding.

"Anytime you have a flood event, there is a chance that the flood waters are going to have raw sewage in them," Fanucchi told Newsweek. "This is not a rare occurrence, and this is not unique to Harvey. When you have a heavy rain even, it can overwhelm the treatment centers and cause raw sewage to leak into the waterways."

The wastewater overflow has not affected the area's drinking water, with daily tests confirming that drinking water is still safe. However, the contaminated floodwater has likely come in contact with residents' homes and belongings.

"Just because of the magnitude of the flooding, if there was an overflowing manhole than yes, untreated wastewater would be released into the environment," says Latrice Babin, deputy director of Harris County Pollution Control Services Department. "People need to understand they need to be careful. There are chemical things in the water that we are not sure of."

Possible contaminants in the flood water include anything that you might find in a sewage system. Fanucchi cited E.coli and hepatitis as more prominent bugs, but other pathogens, such as cholera and typhoid, could also thrive in these waters. The New York Times reported that Houston Hospitals are also seeing more cases of cellulitis, a reddened skin infection that may have resulted from prolonged exposure to contaminated waters.

Upon returning home, residents are urged to get rid of any standing water and use rubber gloves, boots and goggles when cleaning. Safety is the biggest concern; Fanucchi emphasizes that "when in doubt of whether or not you can clean something, throw it out."

It will likely be at least two weeks until the wastewater treatment facilities are fully repaired. However, Babin says it's possible that some of these contaminated waters could clear away on their own.

"I just came back from being in the field today and I didn't really see any of the black and brown waters that had been reported," Babin said. "It could be in the receding of the water that these [contaminants] are moving on."

Head of FEMA operations in Texas visits first responder camp at Cabaniss Field

KZTV-TV, Corpus Christi, TX

September 13, 2017

CORPUS CHRISTI - The man in charge of FEMA's operations in Texas is here in the Coastal Bend getting a first hand look at his agency's response to Hurricane Harvey.

Kevin Hannes, Federal Coordinating Officer for State Recovery, made one of his first stops at Cabaniss Field where a camp is set up for state and federal first responders.

Hannes tells Action 10 News that FEMA's biggest concern right now is to find homes for Coastal Bend residents displaced by Harvey.

One of his other top priorities is to reassure storm victims in the Coastal Bend that FEMA resources that are already here will NOT be diverted to assist the victims of Hurricane Irma.

"We're here, we're not going anywhere, and along with the state of Texas, we're here to support this recovery as long as it takes," said Hannes.

The tent city currently housing first responders can house up to one thousand people.

Currently, there are about 700 first responders at the camp, which was set up to keep hotel space open for displaced storm victims.

KZTV hosting Facebook Live with Andy Liscano, FEMA spokesperson

KZTV-TV, Corpus Christi, TX

September 13, 2017

CORPUS CHRISTI - Action 10 News will be hosting a Facebook live with Andy Liscano and a FEMA spokesperson this evening.

Tune into the KZTV Action 10 News Facebook page at 7 p.m. to watch the Facebook live and ask any questions you may have regarding FEMA.

On a related note, if you would like to help donate to KZTV's Harvey relief fund, "Giving to the Gulf" visit: kztv10.com/strong.

All funds raised will stay right here in the Coastal Bend and go towards the efforts to rebuilding areas in the Coastal Bend that were severely impacted by Hurricane Harvey.

Swarmed With Mosquitoes After Harvey, Texas Calls In The Air Force

Government Executive By Zoë Schlanger September 13, 2017

In an effort to combat the swarms of mosquitoes apparently making mating grounds out of the standing water left behind from Hurricane Harvey, Texas has called in the big planes. The state asked the US Air Force to spray 6 million acres in the state with insecticide from in its low-flying C-130 cargo planes. The Air Force has long used its planes in mosquito-control missions.

The work began this weekend, with three counties sprayed so far, according to Reuters. The hope is that the spraying will prevent mosquito-borne disease (though most mosquitoes that arrive after flooding don't carry disease, according to a Texas health official), and prevent emergency response slowdowns by workers inundated by biting insects.

The Air Force is using naled, which is in the organophosphate category of insecticides, and though widely used in the US, is banned in the EU. The EU decided to ban naled in 2012 out of concern for human health. "The scenarios evaluated in the human health risk assessment as well as in the environmental risk assessment showed a potential and unacceptable risk," the European Commission wrote in its decision.

American health officials disagree. Both the Centers for Disease Control and the US Environmental Protection Agency stand behind naled, saying the small amount of the insecticide sprayed from planes doesn't expose people enough to pose a health concern.

An Air Force spokesperson reiterated that position in a news release, saying the insecticide will be used in volumes the EPA considers safe. "The system disperses droplets small enough to land on a mosquito's wing, using less than one ounce of naled per acre. That's less than one shot glass for an area the size of a football field," the spokesperson said.

Naled is already everywhere in the US—health departments spray roughly 16 million acres in the country with the insecticide each year. It's also often used after disasters like hurricanes and flooding to curb mosquitoes.

The chemical has caused controversy in recent years. In 2016, naled spraying inadvertently caused millions of honeybee deaths in South Carolina, and Florida health officials' decision to spray naled in Miami Beach caused protest among residents. (Spraying there has continued.) When the CDC send a shipment of naled to Puerto Rico to combat Zika, Puerto Rican governor Alejandro García Padilla sent it back, according to the Guardian.

Naled works as a neurotoxin, killing mosquitoes by interfering with an enzyme essential to the nervous systems of both insects and humans. Research on whether it poses a threat to human nervous systems at the levels used to kill mosquitoes is limited. A 2016 study from the University of Michigan looked at babies living in China; they found that the babies most exposed to naled while in the womb scored 3% to 4% lower on fine motor skill tests than their less-exposed peers by the time they were nine months old.

Another study looked at Mexican-American children living in agricultural regions in California, where organophosphates like naled are used regularly—children there had higher rates of attention-deficit/hyperactivity disorder.

But when Mother Jones spoke to Dana Barr, one of the authors of the study on Mexican-American children, she mostly agreed that aerial spraying doesn't pose as significant a threat. "Likely the small amount sprayed won't pose significant risk," she told the magazine, but said people who live in sprayed areas should "consider their exposures from other sources

as well," like from non-organic food and gardening insecticide. She also said women who are pregnant and infants should "take precautions to stay inside during spraying," since they'd be most sensitive to any negative affects.

Hurricane Disaster Aid: What You Need To Know

CBS News

By Kathy Kristof September 13, 2017

This relief can include money to rent a hotel room or apartment, and for food and medical care. To apply, go to DisasterAssistance.gov within 60 days of the date of disaster declaration. You should have:

Disaster declarations in Texas and Florida make residents of the affected counties eligible for a wide array of federal relief programs. But just what kinds of assistance can you qualify for, and how do you get it?

Aid with temporary living expenses

The Federal Emergency Management Agency's "Individuals and Households Program" steps in to help provide temporary economic relief to families displaced in a major natural disaster when private insurance isn't available to pay the tab. To qualify, you need a way to verify your identity and that you're a U.S. citizen (or nationalized noncitizen or qualified alien) and have expenses and serious needs that are both directly caused by the disaster and not covered by insurance.

This relief can include money to rent a hotel room or apartment, and for food and medical care. To apply, go to DisasterAssistance.gov within 60 days of the date of disaster declaration. You should have:

Your Social Security number

The address where the damage occurred

A description of the damage

Your current mailing address and working phone number

Insurance information

Household income

A routing and account number for your checking or savings account. (Most relief money is paid directly to your bank account.)

Notably, if flooding damaged your home, you most likely don't have have insurance coverage for temporary living expenses. Even if you have federal flood insurance, it doesn't reimburse homeowners for the cost of being displaced. You would only potentially have this coverage if you had a supplemental flood insurance policy or if your damage was caused by wind, fire or the results of the same.

In other words, if the hurricane blew the roof off your house, causing rain to come in, you would likely be covered under the wind damage provision in a normal homeowner's policy.

Some supplemental flood insurance policies also cover temporary living costs, but that's not guaranteed. Whether you would have it will depend on your insurer and the policy you bought. If you're uncertain, contact your agent. Also, if you think you don't have coverage, you can apply for disaster aid and simply repay FEMA if do you get a subsequent insurance reimbursement.

Housing assistance

FEMA also provides economic help if you need long-term housing while your home is uninhabitable, as well as home repair and home replacement assistance. This aid doesn't pay to rebuild your home as it was. (To return your home to its predisaster condition, you may need to apply for a low-interest SBA loan.)

In some instances, as after Hurricane Katrina, the agency may provide this help by making temporary mobile homes available for displaced families. This option is generally used when not enough rental housing is available in the affected areas. The benefit of this so-called "direct housing assistance" is that its value isn't subject to FEMA's total assistance limit, which is \$33,000 per household.

Plus, FEMA disaster assistance payments are not taxable.

Unemployment assistance

If a disaster throws you out of work, the Disaster Unemployment Assistance program kicks in to provide weekly unemployment payments for those who don't qualify for ordinary jobless benefits.

Unemployment insurance is a federal program that's administered by the states, so there are variations in the minimum and maximum benefit amounts. Payments under FEMA program are the same as the ordinary unemployment insurance program. In Texas, the current maximum benefit amount is \$493 per week; in Florida, it's \$275 per week. Benefits are typically paid for a maximum of 26 weeks. Unemployment insurance payments generally are taxable.

Tax assistance

The IRS has extended filing deadlines for those in disaster areas, generally giving them until January of next year to file and pay tax installments. If you get a late payment notice in the meantime, you can call the number on the notice to have the penalty waived.

Taxpayers may also write off casualty losses that exceed 10 percent of their adjusted gross Income. Importantly, these losses can be deducted from the return filed for the year prior to the disaster. So if you had major losses from Hurricane Harvey or Irma, you could file an amended return and get a refund of 2016 taxes paid.

For further information on claiming casualty losses, consult your tax preparer or IRS publication 4684.

Access to 401(k) savings

If you have money in a workplace retirement plan, you may be able to borrow some of that cash through a hardship loan. The IRS announced recently that it would reduce the "red tape" on corporations providing hardship loans to employees affected by the disasters.

However, if you fail to repay the loan, the withdrawn amount will be considered a "distribution" and will be subject to both income taxes and potential tax penalties.

Answering Your Insurance Claim Questions After Harvey

KPRC-TV Houston, By Amy Davis September 13, 2017

As flood victims get back to their homes and file claims, insurance adjusters are coming into town. Many homeowners have questions about what those adjusters are telling them.

Consumer expert Amy Davis is looking into some of the claims and answering those questions.

About 249,212 homeowners in Harris County have flood insurance through FEMA's National Flood Insurance Program. You would think those policy holders would be in the best position right now to have their losses covered.

One woman in Lakewood Forest off Highway 249 called Davis because the adjuster her insurance company sent to her home told her a few things that just didn't sound right.

Her home got about eight to 10 inches of water inside from Harvey. She has flood insurance on her personal property and the dwelling. The out of state adjuster her insurance company sent to her home told her that her that appliances are not covered under flood insurance. He also said her policy won't replace her ceramic tile or other items like cookware that was covered in sewer water. A FEMA representative

and a local insurance agent told Davis these statements are not accurate. They said appliances, flooring and personal property are in fact covered by flood insurance. In general, a flood insurance policy on your dwelling covers.

- the building and its foundation
- the electrical system and plumbing
- central a/c equipment, furnaces and water heaters
- refrigerators, cooking stoves and built-in appliances
- carpeting over an unfinished floor
- wood paneling, bookcases and cabinets
- window blinds
- debris removal

Other property would be covered under her flood insurance personal property coverage.

If the adjustor tells you any of these things are not covered by flood insurance, you should get that in writing and take it back to your insurance agent to further investigate. If you are not satisfied with the answers you are getting from the adjustor or your agent, you can file an appeal with FEMA. See page 8 of the National Flood Insurance Claims Handbook

Harvey Evacuees Receive Physical, Emotional Support In San Antonio

San Antonio Rivard Report

September 13, 2017

Houston residents Alex and Alyssa Spero have been at the American Red Cross shelter at Abraham Kazen Middle School on San Antonio's Southside since they were forced to evacuate their apartment during Hurricane Harvey. Regaining their material belongings will consume months, but the process of regaining their emotional footing began at the shelter.

As the water began flooding their apartment, the Speros – along with Alyssa's brother, his wife, and their 3-month-old baby – went up to the second floor to find shelter in a vacant apartment. A family member called to let them know that the National Guard had been called to their location. The Speros were directed to stand outside and wave something in the air so that rescuers could spot them.

Alex Spero went outside and held a car seat in the air, waving it around like a flag. "They never saw us," he said. "They left and we were not rescued."

Spero was reminded that his neighbor had a makeshift wooden boat, and in what he called a "life-or-death decision," he chose to swim the five blocks toward what he considered his family's last chance to get out safely.

"I felt like I was getting bit a lot," he said. "I saw catfish and gators, but my main priority was my family."

Retrieving the boat, Spero got his family into the craft and began to pull them to safety with a rope attached to his waist. Then the rain started again, which scared Spero and his family the most.

"The adrenaline was pumping so fast that I shoved my emotions to the side," he said. "I feel like I'm still fighting back all of my emotions. I've never been in this situation."

After his family was safe, Spero and his brother-in-law continued to use the boat to rescue others. He remembers assisting six families "until [his] body started locking up." At that point he decided to rest, worried that if he pushed himself too hard he would drown. Related: San Antonio Welcomes Evacuees, Deploys Help for Harvey

When the Speros arrived at the Red Cross shelter at Kazen Middle School they felt emotionally drained.

"It's very devastating to be in a shelter," Spero said. "It's kind of hard, but we are getting everything we need. We are treated well. The Red Cross is amazing, and [the San Antonio Police Department] has been excellent and a great informational source for help around San Antonio."

In their conversation with the Rivard Report, Alex Spero did most of the talking, whereas Alyssa remained quiet throughout. When asked if she wanted to share anything from her point of view, she became tearful.

"I can't. I'll cry," she said as tears began streaming down her face. "This is the worst moment of my life so far."

For many, the effects of Hurricane Harvey were traumatic. Whether they swam out of the flood waters to safety or evacuated only to return to a home that had been decimated, the toll that these experiences take on a person's mental health can be tremendous.

Lynn Hottle is a licensed clinical social worker and American Red Cross volunteer from Maryland who was stationed at the Kazen shelter. Hottle said that the emotions displayed by the shelter's temporary residents range from extreme hopefulness to anger. People are worried about how they will receive their Social Security benefits now that their bank or home has been flooded. Many have been displaced, and some don't know the condition of their home or if they even have a home to return to. Most struggle with all of the unknowns.

"We provide help and support for clients and staff in the shelter," Hottle said. "[Our] role is to offer support, advocate for staff and clients, [and] when people ask us questions we help them find the right resource."

With hundreds of people packed into shelters following a stressful and traumatic situation, tension may rise quickly.

Cots for evacuees line the gymnasium floor at Kazen Middle School in San Antonio on Aug. 27, 2017.

"[People experience] the entire range of emotions. [We do] a lot of work with grief and loss – this is a loss," Hottle said. "People could be grieving the loss of their livelihood. They have been separated from their families. It's confusing, it's frightening for people, and its frustrating."

While Hottle and other disaster mental health employees are licensed to provide mental health services in their home state, state-by-state license restrictions do not allow them to provide direct therapy to those staying in Red Cross shelters, she said.

The Red Cross mental health workers are trained to defuse heightened emotions. For those in need of specialized or ongoing therapeutic services, they turn to local organizations.

Hottle, who has deployed as a Red Cross volunteer a number of times, told the Rivard Report that the mental health of those in a helping position during a crisis is of equal importance to that of those who were directly affected by the event.

Red Cross mental health workers also provide supportive services to fellow volunteers. Hottle recalled a time during a volunteer deployment where a staff member had to be sent back home because "they [were not] able to emotionally deal with it."

"It's a roller coaster when I listen to the stories," Hottle said. "I'm a human being. I feel sad." Related: Starting the Long Road to Recovery in Port Aransas

The Center for Healthcare Services (CHCS), San Antonio's local mental health authority, has ensured that licensed mental health workers were stationed at shelters 24/7 to provide any needed therapeutic services to evacuees.

David Pan, director of acute care services at CHCS, told the Rivard Report that the center is prepared to take on the mental health services for those who enter Bexar County at any given moment. He said that the center has been around since 1965, and its employees are well-versed in disaster preparedness and response.

"Any time there is a natural disaster, we provide ongoing [mental health] services to those who need it," Pan said.

In addition to the stress and trauma victims experienced, Hurricane Harvey's aftermath includes an additional strain on those already grappling with drug addiction and mental illness, further depleting their emotional resources.

Pan said that CHCS worked diligently to address the needs of people who were in treatment for substance addiction and found themselves in San Antonio after evacuating.

"We tried to coordinate people who had substance use [issues or were] on opioid treatment, identify them, get them in our methadone clinic to get them that or Suboxone," Pan said. "It was mostly crisis intervention."

Opioid withdrawal symptoms include muscle aches and pains, agitation, insomnia, abdominal cramping, and diarrhea, and may last for more than a month. Often the debilitating symptoms of withdrawal lead people back to using. Pan told the Rivard Report that getting these people the treatment they need is a form of crisis intervention because they might relapse if they run out of their medication.

Of the evacuees who came to San Antonio, Pan said, only three or four people over the span of the last few weeks were in need of acute care services. "We had several instances where people did need crisis stabilization," Pan said. "We brought them to our extended observation unit," where they remained for 48 hours until their symptoms stabilized.

"People were already overwhelmed," Pan said. "Maybe they had a diagnosed mental health concern [such as] schizophrenia, bipolar [disorder], or depression, who were not safe in the shelter, or maybe they were feeling suicidal."

These individuals are treated by CHCS, which contracts with the Department of Health and Human Services, to provide services to "whoever comes needing services."

Pan said that the Red Cross, FEMA, the Salvation Army, and the Bexar County Department of Behavioral and Mental Health are some of the organization that shared the brunt of providing services to those displaced by Harvey; CHCS was the sounding board as members of the various agencies worked to meet evacuees' needs.

"Most of them just needed someone to talk to." Pan said.

CHCS employees provided the majority of mental health services to evacuees in San Antonio; they also put out a call for volunteers licensed to provide mental health services to assist with around-the-clock coverage of local shelters. Those volunteers provided brief crisis intervention counseling, helping people to digest, accept, and heal from a traumatic experience, Pan said.

"Generally, people need to process what went on, relieve some emotion, and relieve some worry," Pan said. "The capacity to deal with what was happening kind of overwhelmed their internal resources and they just needed someone to process things with."

What helped mental health efforts across the state was the fact that "no one community got the brunt of everyone coming to their city," Pan said. He recalled that Houston was a primary evacuation location when Hurricane Katrina hit, receiving around 75,000 people from New Orleans.

As people leave Bexar County and begin to return home, CHCS works to connect them to resources in their communities for a continuation of services. For many, processing immediate feelings of fear and despair during the time they were displaced may be the extent of their needs. Related: \$5 Million Gift from Charles Butt Leads San Antonio Giving to Harvey Victims

Pan said that some people's traumatic experiences may begin when they return home. Post-traumatic stress disorder (PTSD) may set in as people return to the their communities destroyed by Hurricane Harvey. Stress may increase as people are unable to return to their homes and jobs, with the potential for an onset of major depression.

The experience of New Orleans residents in the aftermath of Katrina provides insight into how a traumatic natural disaster can impact a city.

The New Orleans Health Department issued a 2012 report on the state of mental health in the city. Seven years after Katrina, it concluded that while stress and trauma related to Katrina increased the need for mental health services, the infrastructure needed to service traumatized individuals was also impacted by the storm.

New Orleans has mostly recovered from the physical and psychological devastation of Hurricane Katrina, but for years after the storm survivors struggled with mental health challenges. Depression, anxiety, addiction, and, for those who experienced life-and-death scenarios, PTSD were common. In fact, one study found that rates of mental illness in New Orleans doubled after the storm.

In an attempt to make mental health services more accessible, the State of Texas has made it easier for out-of-state mental health workers, psychologists, and medical professionals to assist disaster victims by issuing temporary licenses for people in good professional standing to practice in the state during the time Gov. Greg Abbott's disaster declaration is in place.

The Speros are returning to Houston prepared to brave the unknown; what they know for certain is that they will not be able to return to the apartment they once called home.

"Sometimes I feel like if I wake up, that this was just a bad dream and everything will be okay again," Alex Spero said. "But I know that it won't."

Road Construction To End Soon In Garland

Tremonton (UT) Leader By Cari Doutre September 13, 2017

Progress is continuing on Garland City's wastewater treatment project and city officials expect that road work pertaining to that project will be completed by this fall.

"I think our residents have been very, very patient with us. I've heard very little complaints," said Garland City Mayor Todd Miller.

Tyson Knudson with Cascade Earth Sciences is overseeing the project and gave the city council an update on the project. Knudson reported that the city is still working with Rupps Trucking to complete this phase of the project. Knudson expects that work to be completed in the next six weeks.

Road work to repair underground sewer lines and install storm drains has kept crews busy in Garland over the past several months. That work is also coming to a close this fall. The city also reports that they are currently \$160,000 under budget on this multi-million dollar project.

Garland City was approved for two different categories related to the winter flooding issues. Lynette Sorensen, the city's emergency preparedness director, reported that FEMA approved funds to cover the cost of a pump used to remove excess water from flooded areas. Sorensen will meet with FEMA officials in person on October 3 in Brigham City to discuss flooding issues and compensation to the city. The city also donated 20 cases of paper towels to help flood victims in Houston, Texas.

Garland City Fire Chief Rob Johnson reported to the council that they assisted Weber County on Sept. 5-6 on a wildfire that damaged several homes and burned hundreds of acres. Johnson added that the department has already responded to 22 wildfire and county calls so far this year, assisting other departments in the fight to keep flames from spreading.

"Right now it's not uncommon to get two or three calls a week," Johnson added.

The department is also in talks with Honeyville City to hold joint firefighter classes to help volunteer firefighters advance in training.

Chad Hunt, Media Specialist with Bear River Valley Hospital, presented the council with a proclamation to declare September as Opioid Awareness Month is conjunction with the Bear River Health Department and Bear River Valley Hospital's campaign to raise awareness for prescription opioid abuse in Utah.

"We want people to be more vigilant with talking to doctors about opioid abuse and if it's truly necessary and the risk of addiction and to look for alternatives." Hunt told the council.

Hunt added that from January 2015 to July 2017, Bear River Valley Clinic and Bear River Valley Hospital prescribed about 6,500 opioid prescriptions, calculating about 400,000 pills. He added that every day 7,000 opioid prescriptions are filled in Utah alone. In 2015 there were 12 opioid related deaths in Box Elder County, Hunt added. The council approved the motion.

Texas AG sues businesses for price gouging during Harvey

FOX7-TV, Austin, TX By: Noelle Newton September 12 2017

AUSTIN, Texas - Attorney General Ken Paxton has filed suit against three companies for price gouging during hurricane Harvey.

The office said expect to see more as investigators have received 3,320 complaints.

Photo evidence shows one station price-gouging at \$6.99 for a gallon of gas. This is an example flooded into the attorney general's office during Hurricane Harvey.

"So it's disappointing right? I think in Texas we take pride in the fact that we help each other out," said Consumer Protection Division Chief Paul Singer.

From gas to groceries Consumer Protection Division Chief Paul Singer said the office received more than 3,300 complaints.

"\$30, \$40, \$50 dollars for a case of water," said Singer. "We've seen complaints for where people were selling milk for \$10 dollars for a half-gallon."

On Tuesday the Attorney General's Office filed suit against three businesses. Robstown Enterprises, owner of the Best Western Plus Tropic Inn, is accused of charging three times the normal room rate.

Bains Brothers, owners of Texaco gas stations in the Dallas-area are accused of charging \$6.99 for gas while displaying signs with prices in the \$3-4 dollar range. Receipts for the Carrollton store show the price for unleaded plus was going for \$2.79 at 5 a.m. on August 31st. By 11:19 a.m. unleaded was \$4.99. At 11:36 a.m., unleaded was \$5.99.

Encinal Fuel Stop, a Chevron brand station outside Laredo is accused of charging \$8.99 and \$9.99 a gallon.

"That can't be explained away by a simple market fluctuation," said Singer.

Singer said the majority of the offenders are in the Dallas area--far from where Harvey made landfall.

Technology is making the cases pretty easy to prove.

"Normally you get a consumer complaint and we have to take the allegations as true and then go to the company to figure out what happened. Here we have photo proof. We have people out there taking pictures of gas signs, of their receipts of the fuel pumps. That's really helpful to us in our enforcement work," said Singer.

Singer says the three lawsuits are just the tip of the iceberg.

"There is a lot of information for us to go through and we're going to make sure that companies that engage in illegal price-gouging are going to be held accountable," said Singer.

To report price gouging call 1-800-621-0508 or email consumeremergency@oag.texas.gov or file a complaint online here: https://www.texasattorneygeneral.gov/cpd/file-a-consumer-complaint.

'Disaster SNAP' open to people affected by Hurricane Harvey

KTRK-TV, Houston, TX

September 13, 2017

HOUSTON, Texas — The state of Texas is offering short-term food assistance to families who were affected by Hurricane Harvey.

Under the Disaster SNAP program, people can receive benefits when they return to their homes and have access to power and grocery stores after a disaster. The amount of the food allowance depends on household size and is equal to two months of the maximum amount of SNAP benefits.

The amount will be loaded onto a Lone Star Card.

There are certain requirements to be eligible for the help. You must have experienced a loss of income, destruction of your home or a disaster-related expense, such as temporary shelter or home repairs.

You must not have been getting regular SNAP food benefits. You must meet certain income limits, which you can find at the Texas Health and Human Services website.

And you must be from a county that was declared a federal disaster area.

The program requires you to apply in person only at a designated D-SNAP location within your county, and you must bring government issued identification.

For now, counties with smaller populations have designated locations open. Bigger population counties, like Harris County, will have locations open in the coming days, according to Health and Human Services.

You can get information on applying at the Texas HHS website.

After The Hurricanes, Watch Out For The Flood Of Damaged Cars

Washington Post By Courtland Milloy September 12, 2017

First there were reports of price gouging during hurricanes Harvey and Irma — store owners charging up to \$99 for a \$10 case of water, for instance. Then the FBI began warning about fake charities soliciting money for hurricane victims and absconding with the funds.

Now, get ready for what could be the most consequential scam of all: an unprecedented flood of water-damaged vehicles coming soon to a car lot near you.

A warning issued last week by AAA Mid-Atlantic and the National Insurance Crime Bureau noted as many as a million vehicles may have been damaged by the hurricanes that hit Texas and Florida, and that "many of those vehicles . . . may soon end up for sale in other parts of the country, all the way up to the Washington metro area."

The Washington Area New Automobile Dealers Association issued an alert, too, that "dealers should watch out for flood-damaged cars at auction."

But it's the buyers who really need to watch it. You don't just lose money on purchasing a defective car. Driving a car that has corroding brakes, rusty steering and blow-dried electronic systems can cost you a life.

The region already has some of the most dangerous driving conditions in the country. A survey by WalletHub in July ranked us 97th out of 100 when it came to traffic safety, access to vehicle maintenance and the cost of repair. The last thing we need is an influx of defective cars.

Moreover, the demand for used cars continues to increase as the region's population grows. College students, immigrants and entry-level employees are among the used car seller's best customers. They also tend to be the least experienced when it comes to buying and driving a car.

The damaged vehicles are expected to start hitting the Washington market within two months, if not sooner, according to AAA. These are the cars that you saw in television reports, the ones in parking and car dealership lots, beneath highway overpasses, overturned in canals. The ones in high water can be infested with insects, reptiles and rats and contaminated with toxic chemicals and even raw sewage.

"Once the deluged autos are meticulously dried out, scoured and scrubbed, and the title is 'washed,' they are sold in other states by unscrupulous sellers and fly-by-night operators," said John B. Townsend II, AAA Mid-Atlantic's manager of public and government affairs.

A title is supposed to indicate whether the vehicle has been flood damaged — meaning it had been submerged in water deep enough to cover the engine. When a title is "washed," that critical information gets deleted.

Insurance companies generally declare such vehicles a total loss and give their customers a modest payout. But in the Houston area, where an estimated 1 out of 7 vehicles was damaged by Hurricane Harvey, at least 25 percent of the owners did not have comprehensive insurance that covered such damage.

Any compensation they receive will most likely come from selling the car to a salvage company, which may clean it up just enough to put up for auction.

"The cars will turn up at auctions, where all you have to do is raise your hand to place a bid," Townsend said. "It's like getting married without knowing anything about your fiance."

AAA recommends prospective buyers obtain a CARFAX Vehicle History Report. "This can reveal if a vehicle has been involved in a flood, major crash, fire or uncover odometer fraud," Townsend said. "Be sure to check for anything coming out of Florida or Texas."

The Washington Area New Automobile Dealers Association suggests checking the car for telltale signs of flooding, such as "water stains under the carpet," "rusted components, water residue or suspicious corrosion in electrical wiring" and "a musty odor in the interior sometimes covered with a strong air freshener."

As we have seen time and again, disasters can bring out the best in us. Yet, for every act of heroism and generosity there seems to be a corresponding display of greed and deceit.

When it comes to the flood damaged car scam, Townsend said, "Let the buyer beware."

Fla. Gov. Rick Scott: 'Work To Do' For State To Recover After Irma

Associated Press

By Jason Dearen And Martha Mendoza September 13, 2017

LOWER MATECUMBE KEY, Fla. (AP) — Parts of Florida inched back toward normal with workers restoring power, clearing roads and replenishing gas supplies, even as teams scoured the state's southernmost islands and authorities warned of mass devastation.

Residents drifted back from shelters and far-away havens Tuesday to see Hurricane Irma's scattershot destruction. Flooded streets remained, and the count of damaged and totaled homes ticked upward even as some curfews were lifted, flights resumed and amusement park rides again twirled.

"Everything's gone," said Jen Gilreath, a 33-year-old bartender whose Jacksonville home filled with knee-high floodwaters.

As crews labored to repair the lone highway connecting the Keys, residents of some of the islands closest to Florida's mainland were allowed to return and get their first look at the devastation two days after Irma roared in with 130 mph (209 kph) winds.

Federal Emergency Management Agency administrator Brock Long said preliminary estimates suggested that 25 percent of the homes in the Keys were destroyed and 65 percent sustained major damage.

"Basically, every house in the Keys was impacted," he said.

The number of deaths blamed on Irma in Florida climbed to 12, in addition to four in South Carolina and two in Georgia. At least 37 people were killed in the Caribbean. The Florida deaths include four people who died of carbon monoxide poisoning from electric generators in two separate incidents.

"We've got a lot of work to do, but everybody's going to come together," Florida Gov. Rick Scott said. "We're going to get this state rebuilt."

Glimpses of Irma's economic toll were emerging, with Florida saying 31 state agencies had already amassed nearly \$250 million in preparation and recovery expenses. In the meantime, officials warily eyed storm damage to its citrus crops, an issue Sens. Bill Nelson and Marco Rubio planned to address at a joint news conference Wednesday morning with growers.

The number of people without electricity in the steamy late-summer heat dropped to 9.5 million — just under half of Florida's population. Utility officials warned it could take 10 days or more for power to be fully restored. About 110,000 people remained in shelters across the state.

In hard-hit Naples, on Florida's southwest coast, more than 300 people stood outside a Publix grocery store in the morning, waiting for it to open.

One man complained loudly that the line had too many gaps. Others shook their heads in frustration at word of another delay.

At the front of the line after a more than two-hour wait, Phill Chirchirillo, 57, said days without electricity and other basics were beginning to wear on people.

"At first it's like, 'We're safe, thank God.' Now they're testy," he said. "The order of the day is to keep people calm."

While nearly all of Florida was engulfed by the 400-mile-wide (645-kilometer) storm, the Keys — home to about 70,000 people — appeared to be the hardest hit. Drinking water and power were cut off, all three of the islands' hospitals were closed, and the supply of gasoline was extremely limited.

Search-and-rescue teams made their way into the more distant reaches of the Keys, and an aircraft carrier was positioned off Key West to help. Officials said it was not known how many people ignored evacuation orders and stayed behind in the Keys.

Crews also worked to repair two washed-out, 300-foot (90-meter) sections of U.S. 1, the highway that runs through the Keys, and check the safety of the 42 bridges linking the islands.

In Islamorada, a trailer park was devastated, the homes ripped apart as if by a giant claw. A sewage-like stench hung over the place.

Debris was scattered everywhere, including refrigerators, washers and dryers, a 25-foot (8-meter) fishing boat and a Jacuzzi. Homes were torn open to give a glimpse of their contents, including a bedroom with a small Christmas tree decorated with starfish

One man and his family came to check on a weekend home and found it destroyed. The sight was too much to bear. The man told his family to get back in the car, and they drove off toward Miami.

The Lower Keys — including the chain's most distant and most populous island, Key West, with 27,000 people — were still off-limits, with a roadblock in place where the highway was washed out.

Although the Keys are studded with mansions and beachfront resorts, about 13 percent of the people live in poverty and could face big obstacles as the cleanup begins.

"People who bag your groceries when you're on vacation — the bus drivers, hotel cleaners, cooks and dishwashers — they're already living beyond paycheck to paycheck," said Stephanie Kaple, who runs an organization that helps the homeless in the Keys.

Corey Smith, a UPS driver who rode out the hurricane in Key Largo, said it was a relief that many buildings on the island escaped major damage. But he said conditions were still not good, with branches blocking roads and supermarkets closed.

"They're shoving people back to a place with no resources," he said by telephone. "It's just going to get crazy pretty quick.

Mendoza reported from Atlanta. Associated Press writers Terry Spencer in Palm Beach County; Gary Fineout and Joe Reedy in Tallahassee; Jay Reeves in Immokalee; Terrance Harris in Orlando; Claire Galofaro in Jacksonville; and Freida Frisaro, Jennifer Kay, Curt Anderson and David Fischer in Miami contributed to this report.

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Florida Governor Vows To Rebuild Sunshine State

Boston Herald September 13, 2017

LOWER MATECUMBE KEY, Fla. — With 25 percent of the homes in the Florida Keys feared destroyed, emergency workers yesterday rushed to find Hurricane Irma's victims — dead or alive — and deliver food and water to the stricken island chain.

As crews labored to repair the lone highway connecting the Keys, residents of some of the islands closest to Florida's mainland were allowed to return and get their first look at the devastation.

"It's going to be pretty hard for those coming home," said Petrona Hernandez, whose concrete home on Plantation Key with 35-foot walls was unscathed, unlike others a few blocks away. "It's going to be devastating to them."

But because of disrupted phone service and other damage, the full extent of the destruction was still a question mark, more than two days after Irma roared into the Keys with 130 mph winds.

Elsewhere in Florida, life inched closer to normal, with some flights again taking off, many curfews lifted and major theme parks reopening. Cruise ships that extended their voyages and rode out the storm at sea began returning to port with thousands of passengers.

The number of people without electricity in the steamy late-summer heat dropped to 9.5 million — just under half of Florida's population. Utility officials warned it could take 10 days or more for power to be fully restored. About 110,000 people remained in shelters across Florida.

The number of deaths blamed on Irma in Florida climbed to 13, in addition to four in South Carolina and two in Georgia. At least 37 people were killed in the Caribbean.

"We've got a lot of work to do, but everybody's going to come together," Florida Gov. Rick Scott said. "We're going to get this state rebuilt."

Irma's rainy remnants, meanwhile, pushed through Alabama and Mississippi after drenching Georgia. Flash-flood watches and warnings were issued around the Southeast.

While nearly all of Florida was engulfed by the 400-mile-wide storm, the Keys — home to about 70,000 people — appeared to be the hardest hit. Federal Emergency Management Agency Administrator Brock Long said that preliminary estimates suggested that 25 percent of the homes in the Keys were destroyed and 65 percent sustained major damage.

<u>Hurricane Irma And Harvey \$15B Disaster Fund Won't Last 30 Days, Says Ex-FEMA</u> Chief

Newsweek By Graham Lanktree September 13, 2017

Hurricanes Irma and Harvey survivors will be lucky if billions of dollars in disaster relief agreed by Congress last week last more than a month, according to the former head of the Federal Emergency Management Agency (FEMA.)

"It's not enough," James Lee Witt, FEMA chief for eight years under President Bill Clinton, tells Newsweek of the funds earmarked last week for the recovery effort after the two storms left a trail of destruction across Texas, Florida, Georgia and South Carolina. "It would be lucky if it lasts 30 days with both of these events going on at the same time."

A family arrives at their house, which was flooded after the passing of Hurricane Irma in Immokalee, Florida, U.S. September 12, 2017 Stephen Yang/Reuters

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In a rare bipartisan move the House and Senate passed a combined \$15.2 billion in hurricane relief mainly targeted at helping victims of Harvey in Texas and Louisiana last week. Congress may agree on Hurricane Irma recovery money for Florida soon.

In Texas, the long-term recovery from Hurricane Harvey "will be \$100 billion at least," Witt said. Governor Greg Abbott has put the number at \$150 to \$180 billion.

Read more: With Hurricane Irma and Harvey Relief Underway, One-Third of FEMA Leadership Positions Unfilled

"I haven't seen early estimates on Florida," Witt added of recovery costs there. Irma was "the first time we've seen a hurricane cover the entire state it was so wide," he said, estimating the cost of recovery will cost much more than the \$26.5 billion in damage Hurricane Andrew did to Florida in 1992.

The total costs of damage the government might end up footing the bill for in Texas and Florida "could top \$175 billion," Witt said, adding "then you've got the Virgin Islands and Puerto Rico."

Florida Congress members agree with Witt's assessment. "Fifteen billion dollars is only going to last us a few weeks," said Democratic Florida Senator Bill Nelson after touring the damage with Republican Senator Marco Rubio on Monday. "By the middle of October, we'll have to do another emergency supplemental appropriation," Nelson told reporters.

As flood water recedes in Texas after Hurricane Harvey and storm surge and flooding in Florida dies down "now the most important thing is getting people signed up for assistance," Witt said.

"They have an opportunity here to build back better and safer and use individual assistance program," he insisted. The government is offering a 90 percent federal cost-share for debris removal, 100 percent reimbursement for hurricane preparations, and direct financial assistance for those in the hardest hit areas in Texas and Florida. Witt urges everyone who could qualify to apply online as soon as they can.

Brock Long, the current head of FEMA, said Monday that there are still 200,000 people in shelters from the storm in Florida and that "it's going to be a long frustrating event for Floridians." On Tuesday FEMA said 25 percent of homes in the Florida Keys were destroyed by Hurricane Irma and 65 percent have major damage.

Long's response to these historic natural disasters "has been right on," said Witt, adding that Long's leadership is a "big plus" for FEMA. Communication is key, he added, and right now people need good public information about what's going on to keep "that frustration level down" as people pass through the shock, frustration, and anger they often feel after a disaster.

A key thing survivors need to know, Witt said, is to be careful when returning to their homes with their families.

"A flood is worse than anything. Because you get all that mud and mulk in your homes and business. It would be better if the parents went first," he said, but "sometimes it just doesn't work that way." Children are some of the most vulnerable in disaster situations, he said.

In Houston The New York Times carried out a series of tests of flood waters and published their findings Monday of high levels of E. coli, a bacteria commonly found in sewage, in water inside flooded homes.

"There's pretty clearly sewage contamination, and it's more concentrated inside the home than outside the home," said Lauren Stadler, an assistant professor of civil and environmental engineering at Rice University, who tested water for the paper.

"I know some kids were playing in the floodwater outside those places. That's concerning to me," she said. The Environmental Protection Agency, Associated Press, CNN, and Texas Commission on Environmental Quality have all tested water and expressed concern about contamination.

People thinking of returning home with their children or elderly family members before their house can be cleaned should think twice, Dr. David Persse, the chief medical officer of Houston, told The Times.

"It's very dangerous," Witt said of the possibility for contamination. He urged people to take precautions. "They need to remember to wear masks and gloves and rubber boots," he said. "Particular when they start ripping down walls and insulation out. If they haven't had a tetanus shot in a while, they need to get a tetanus shot just in case they get cut or step on a nail or something sharp" as bacteria looms throughout the disaster zone.

Children may need even greater amounts of care and attention to understand what's happened, said Witt, who works with the children's nonprofit The Hero in You Foundation. He urged storm victims to create a family plan and give their children a number—preferably out of state—to family friends they can reach in case they get separated from each other during the recovery.

"It's important that young kids know what to do," Witt said, urging FEMA's chief Long to "explain that to children."

"Many of the floods that I saw are pretty traumatic on kids," he said, noting that "a lot of times in disasters, the parents get so involved in trying to recover and trying to get assistance they forget about the kids in extent of explaining to the kids what happened."

Children need an outlet to vent their frustration too. During North Dakota's Red River flood in 1997, Witt said he saw teachers from an evacuated school getting their kids to write poems and draw pictures about how the flood impacted their lives.

Just like their parents, Witt said, kids "need to explain how they feel and how it affected them, and it helps them to get through that."

Recovery

Nueces County recovery includes mosquito spraying, debris pickup and FEMA assistance

The Caller-Times, Corpus Christi, TX

By Julie Garcia September 13, 2017

Nueces County did not go unscathed when Hurricane Harvey made landfall last month even though Corpus Christi and the western areas did not bear the brunt.

Port Aransas experienced 132 mph winds and a storm surge of about eight feet, which has crippled many of the businesses for at least three months.

The Nucces County Emergency Management Office delivered an update on the county's recovery plans, including aerial mosquito spraying schedules, debris pickup and federal resources such as the Federal Emergency Management Agency, at Wednesday's commissioners court meeting.

"Our office is responsible for unincorporated areas of Nueces County," said Christopher Boyce, emergency management coordinator. "We support every city in this area, especially the western cities, but any city that asks for assistance. Every disaster begins and ends locally."

Dan McElhinney, a FEMA division supervisor, advises people to apply for FEMA regardless of how small the damage to their property might be. You can apply for FEMA at www.disasterassistance.gov or by calling 1-800-621-3362.

After the storm hit, the Texas Department of State Health Services stepped in to assist with aerial mosquito spraying in Coastal Bend counties.

Nueces County was sprayed for mosquitoes on Sept 9, and there will be a second spraying before the end of the month, said Isidoro Prado, public health administrator for the Corpus Christi-Nueces County Public Health District.

"Ninety-five percent are floodwater mosquitoes," Prado said.

Mosquitoes have been trapped across the county, but only a few of those caught have been Aedes aegypti, which is the kind that harbors viruses like Zika and West Nile.

Debris removal in the western part of the county is being handled by two hired contractors, as well as Absolute Waste, the contractor that picks up garbage regularly, said Glen Sullivan, public works director.

There is a limit of about 35 pounds of debris and waste that will be picked up by Absolute Waste, Sullivan said.

All waste needs to be separated by tree debris and house debris.

John Metz, warning coordination meteorologist with National weather Service-Corpus Christi, gave a post-hurricane presentation that detailed the service's process from mid-August to now.

Harvey has been ranked the 16th strongest land-falling storm to hit the United States. It's the first major hurricane to the country since Hurricane Wilma in 2005 and the first Category 4 hurricane to hit Texas since Hurricane Carla in 1961, according to the presentation.

Preliminary impacts in Nueces County find that 4,170 homes had major damage and more than 1,000 homes were destroyed. Nearly 500 businesses have major damage.

So far, \$200 million has been spent on Harvey recovery costs in Texas, Metz said.

NFIP and Flood Mapping

Why The Government Sells Flood Insurance Despite Losing Money: NPR

NPR

September 13, 2017

Why The Government Sells Flood Insurance Despite Losing Money: NPR

Why The Government Sells Flood Insurance Despite Losing Money

Author Interviews

9/13/2017

Why The Government Sells Flood Insurance Despite Losing Money The National Flood Insurance Program was operates like an insurance company in many ways except one: it just about always loses money. This piece originally aired on Morning Edition in January 2013.

Lloyd's Demands US Reforms After Devastating Hurricanes

<u>Law360</u> By William Shaw September 13, 2017

U.S. Congress must urgently deliver a greater role to private flood insurers following the devastation wrought by hurricanes Harvey and Irma, according to Lloyd's of London.

Amid changing climates and weather patterns, lawmakers must swiftly unburden the federal National Flood Insurance Program, which is tasked with offering affordable flood cover but suffers a funding shortfall of more than \$24 billion, the world's biggest speciality insurer said in a statement released Tuesday.

"We urgently need reform to the flood insurance market in the U.S. to make these...

Will Rebuilding After Hurricanes Harvey And Irma Make More Flooding Inevitable?

The New Yorker
By Elizabeth Kolbert
September 13, 2017

The aim of the National Flood Insurance Program, which was created by Congress, in 1968, in the aftermath of Hurricane Betsy, is to provide "affordable insurance to property owners." The program offers what amounts to subsidized coverage, and according to its critics, and also to some of its supporters, the N.F.I.P. has had the perverse effect of encouraging rebuilding in areas where homes and businesses probably shouldn't have been built in the first place.

Many homes enrolled in the program have been flooded and repaired more than once. These are known as "repetitive-loss properties." Then there are homes that have been flooded and repaired at least four times. These are known as "severe repetitive-loss properties." Into this latter category falls a Mississippi house valued at sixty-nine thousand dollars. The house has floodedthirty-four times, resulting in a total of six hundred and sixty-three thousand dollars in claims.

"It's basically lather, rinse, repeat," Steve Ellis, the vice-president of the non-partisan group Taxpayers for Common Sense, recently toldPolitico.

Perhaps not surprisingly, the National Flood Insurance Program, which was supposed to pay for itself, is deeply in debt; it owes nearly twenty-five billion dollars to the federal government. Authorization for the program was set to expire on September 30th, but then, last Friday, with Houston still flooded from Hurricane Harvey and Florida bracing for Irma, President Trump signed a bill extending the authorization for three months.

Figuring out how to fix the N.F.I.P. is a real and urgent task. (In 2012, Congress approved a measure that was supposed to raise N.F.I.P. premiums, to better reflect the actuarial risk of the policies; then, in 2014, lawmakers reversed themselves, approving a second measure that effectively countermanded the first.) It might also be seen as a metaphor. The response to a disaster can reduce the damage from future calamities, or it can exacerbate it. As Houston and the battered cities of Florida start to look toward rebuilding, obviously decisions oughtto be made with an eye toward reducing future risks. But, given who's running the country and the states most affected, it's hard to imagine they will be.

Consider the situation in Florida. In many parts of the state, owing to climate change and the accompanying sea-level rise, rain is no longer a prerequisite for flooding. All that's needed is an unusually high tide. Floridians call this "sunny-day flooding." A studypublished in 2016 in the journal Ocean & Coastal Management found that in Miami Beach the frequency of such flooding had increased by a remarkable four hundred per cent over the previous ten years.

Scientists studying this phenomenon have exhorted Florida's Republican governor, Rick Scott, to acknowledge the problem and try to figure out how to deal with it. Instead, Scott has prohibited tate officials from even talking about climate change.

"It's more than an absence of leadership," Eric Buermann, the former board chairman for the Southwest Florida Water Management District, who is also the former general counsel to the state's Republican Party, toldthe Washington Postlast week. "There's harm being done by denying the problem."

(As it happens, much of Irma's destruction was caused by wind, rather than by flooding, but here again government policy may have put more people at risk. In Florida, after Hurricane Andrew, which struck in 1992, it became so difficult to get insurance against wind damage that the state formed its own insurance company and offered incentives to induce private companies to enter the market. Now no one is sure whether those private companies will be able to pay out.)

America is, of course, currently a nation run by deniers. Trump is the denier-in-chief, and he has appointed deniers of various stripes to virtually all key positions. These include Ryan Zinke as Secretary of the Interior, Rick Perry as Secretary of Energy, and Scott Pruitt as the head of the Environmental Protection Agency. Just last week, the President nominated another climate denier, Representative Jim Bridenstine, a Republican of Oklahoma, to run NASA.

Climate change clearly exacerbated the damage of both Harvey and Irma, if for no other reason than the fact that higher sea levels produce higher storm surges. (In addition, hurricanes draw their energy from the warm surface waters of the oceans; as sea surface temperatures rise, storms are expected to become more ferocious, and, since higher temperatures also produce evaporation, storms will drop more rain.) But last week, as Irma bore down on Florida, Pruitt told CNN, "To have any kind of focus on the cause and effect of the storm versus helping people, or actually facing the effect of the storm, is misplaced." This prompted the Republican mayor of Miami, Tomás Regalado, to respond that this was, in fact, exactly "the time that the president and the E.P.A. and whoever makes decisions needs to talk about climate change."

"If this isn't climate change, I don't know what is," Regalado told the Miami Herald."This is a truly, truly poster child for what is to come."

Which brings us back to the National Flood Insurance Program. Even before Harvey and Irma, Texas and Florida were among the states with the most frequently flooded properties. (The others are Louisiana and New York.) One of the reasons that the N.F.I.P. is in so much trouble is that most of its flood maps don't account for climate change and hence are out of date.

Writing about the program on Monday in the Washington Post, Logan Strother, a visiting scholar at Princeton, noted that the N.F.I.P. could be redesigned "to discourage people and businesses from living and building in flood areas—and to help with the costs for those who are flooded nevertheless." But he doubted whether this would actually happen. Congress isn't keen on making the needed changes, and state and local officials, and also homeowners and developers, are usually more interested in trying to preserve the status quo—even as it disappears under the waves.

After disasters, Strother lamented, "people rebuild right back in these areas, making the next major loss inevitable."

HURRICANE HARVEY: Some damaged Texas schools still closed

Texas Statesman
By Julie Chang
September 13, 2017

Most Texas school districts in counties hit by Harvey have opened or will soon reopen, but officials at eight school districts in the Beaumont area as well as some in the Corpus Christi area still aren't sure when they'll start classes.

State Education Commissioner Mike Morath told the State Board of Education Wednesday morning that more than 1.4 million public school students are in counties affected by the storm. The timing of the storm thrust into uncertainty the start date for many districts well how school boards would approve their budgets which must be done by Aug. 31 of each year.

The Houston school district has implemented a rolling start date for classes. The Woodsboro school district has reopened, but the Sheldon school district near Houston won't reopen until Sept. 18. Eight school districts in the Beaumont area are still determining potential start dates as well as some in the Corpus Christi area.

Morath said Aransas Pass school board members, some of them in shelters, had to adopt the district's budget over the phone.

"The hurricane was pretty massive," Morath said. "We have been feverishly busy trying to support the affected school districts and charters all over the state of Texas."

Morath added that school districts in affected areas opened up their campuses for evacuees and fired up cafeterias to feed families. Although the Pasadena superintendent couldn't get to the school, she was able to remotely unlock it to house about 1,000 people. The Houston school district opened some 40 schools to house evacuees, too.

Texas Education Agency staff members and teachers also stepped up to conduct rescues and send donations to devastated areas. Morath said.

"The stories of heartbreak and of heroism that we've heard are nothing short of unbelievable," Morath said. Morath said Gov. Greg Abbott has worked with FEMA officials to bring down recovery costs for school districts. In most cases, school districts will only have to pay 10 percent, instead of 25 percent, of recovery costs for, among other things, repairing buildings, replacing textbooks, and buying computers and food.

He said the Texas Education Agency can tap its 2019 budget to help pay for any costs incurred by Harvey. Any hole left in the 2019 budget will have to be addressed in the next regular legislative session which starts January 2019.

Morath also said the agency hasn't made any decisions whether students will have to take state standardized tests this year or if the scores will count against students and schools in the accountability system. As of Wednesday, 233,500 people have signed an online petition to cancel the STAAR test and use that money for Harvey recovery.

The education agency has created a hotline for parents to ask about information related to Harvey — (512) 463-9603. The agency will also launch sometime next week a website for school districts affected by Harvey to solicit donations.

How to donate food, supplies to Hurricane Harvey victims in Central Texas

KVUE-TV, Austin, TX By Drew Knight September 6, 2017

CENTRAL TEXAS - Looking for ways to help the victims displaced by Hurricane Harvey?

In addition to donating to the American Red Cross, there are a few ways you can help locally in Central Texas. Here's a list of how you can give food, supplies and monetary donations in the area:

Donate to American Red Cross

TEGNA stations across the state are raising money for the American Red Cross relief efforts. Donations made will go toward providing food, shelter, relief supplies, emotional support and recovery planning for the victims of Harvey.

An average of 91 cents for every dollar given is used for humanitarian services and programs. A small amount is used by the American Red Cross for fundraising and management. These donations are tax deductible.

TEGNA said the campaign, which was launched Monday, has already raised more than \$1.15 million in its first 24 hours. Donations can be made here.

Austin Disaster Relief Network

The Austin Disaster Relief Network (ADRN) is asking for financial contributions and survivor donations to benefit the evacuees expected in the Austin area in the coming days.

The ADRN said monetary donations are needed to provide support to survivors and will be distributed in the form of gift cards, emergency housing, emergency transportation and/or building materials. Donations can be made here.

ADRN is accepting donations at the following four locations:

1) ADRN Headquarters 1122 East 51st street;

Monday-Saturday 10 a.m.-5 p.m.

2) The Connection Church 1235 South Loop 4, Buda, Texas 78610;

Sunday-Thursday 10 a.m.- 4 p.m, Sunday 9 a.m.-2 p.m.

3) Celebration Distribution Center 601 Westinghouse Rd. Georgetown, Texas 78626

Monday-Saturday 9 a.m.-8 p.m.

4) 360 Warehouse 1905 South Capitol of TX Highway, Austin TX 78746

Monday-Saturday 9 a.m.-5 p.m.

Though it said clothing is not needed at this time, the following items are: toiletries, new pillows and blankets, cleaning supplies, utility knives, leather work gloves, inflatable mattresses, hand sanitizer and box fans.

In addition, the ADRN is calling for volunteers. Sign-up information can be found here. The ADRN call center can be reached at 512-806-0800.

Bastrop Food Pantry

The Bastrop Food Pantry at 806 Fayette Street is accepting food donations from 8 a.m. to 3 p.m. Monday through Friday. Here's a list of the items it is asking for:

Canned meats, vegetables and fruits
Corn bread mix
Juices
Hamburger, Chicken and Tuna Helper
Assorted crackers
Rice
Peanut butter and jelly
Dry beans
Sugar
Cereal (hot or cold)

Instant potatoes
Flour
Pasta and tomato sauces
Canned Beans
Soups
Toiletries
Cooking oil

The food pantry asks that requests to arrange special pickups for bulky or large quantities of items be made by calling 512-303-0033.

Central Texas Food Bank

Shelf stable milk

The Central Texas Food Bank said it is coordinating with state and other other disaster relief providers, partner agencies, and Texas food banks and soup kitchens in areas hardest hit by Hurricane Harvey.

In the coming days, it will be preparing shipments of emergency food boxes consisting of ready-to-eat-items that will go to the areas where the need is most acute. The food bank said the best way for people to help is to donate funds so that it can provide these kinds of items. This helps the bank avoid the complications of sorting and distributing varied food items.

If you do wish to give food, the food bank said it will accept items like pop-top meat and fish, powdered milk, cereal, canned fruit, fruit cups, peanut butter and jelly and cleaning supplies.

Monetary donations can be made here.

The Salvation Army

The Salvation Army volunteer team from Austin has already deployed this week with a mobile kitchen capable of preparing and serving 900 meals a day and a mobile catering truck capable of delivering 1,900 meals a day. It has been serving people at shelters in Victoria, Cuero and Seadrift.

In response to increased need and provide victims with shelter, The Salvation Army is activating emergency response teams across the country and asking for public contributions.

In addition to donating online, you can also text STORM to 51555 or call 1-800-SAL-ARMY to make a contribution. Donations by mail can be delivered to P.O. Box 1959, Atlanta, Georgia, 30301. La Grange Church of Christ

The La Grange Church of Christ has announced it will be accepting donations of supplies to be distributed across Fayette County or taken to Houston once roads are safe for travel. The church is located at 646 E. State Highway 71 in La Grange, Texas.

Here is a list of items it is accepting:

Cleaning supplies
De-humidifiers
Air circulators
Extension cords
Ground fault protectors
Pop-up canopies
Shovels
Wheelbarrows
Crowbars
Hammers
Utility knives
Work gloves

Various tools

Chainsaws
Rope
Safety glasses
5-gallon buckets
Liquid laundry detergent
Dish soap
First-aid kits
Bottled water

United Way of Williamson County

United Way of Williamson County is collecting items and monetary donations to help meet the immediate and long-term needs of those affected by the storms.

The organization said monetary donations can be made online, by texting "WilcoCares" to 91999, or by delivering a check made out to "United Way of Williamson County-Hurricane Relief Fund" to P.O. Box 708, Round Rock, Texas 78680. United Way said 100 percent of these tax-deductible donations will be directed to hurricane relief efforts.

Additionally, the organization is coordinating the collection of cleaning supplies and personal care items across the area. It will be accepting bottled water, cleaning supplies, contractor-grade trash bags, mops and buckets, heavy-duty work gloves, hand sanitizer and more. Clothing and bedding will not be accepted.

Collection locations can be found out:

United Way of Williamson County 11111 N. IH-35, Ste. 220, Round Rock, Texas 78664 Monday-Thursday from 8 a.m. to 5 p.m. Friday from 8 a.m. to 3 p.m.

Toyota of Cedar Park 5600 183A, Cedar Park, Texas 78641 Monday-Saturday from 8:30 a.m. to 8:30 p.m.

Mel's Lone Star Lanes 1010 N. Austin Ave., Georgetown, Texas 78626 Monday-Tuesday from 9 a.m. to 11 p.m. Wednesday-Friday from 9 a.m. to midnight Saturday from 9 a.m. to 1 a.m. Sunday from 11 a.m. to 11 p.m.

Greater Taylor Chamber of Commerce 1519 N. Main St., Taylor, Texas 76574 Monday-Wednesday and Friday from 10 a.m. to 5 p.m. Thursday from 10 a.m. to 6 p.m. We Are Blood

We Are Blood said it has an ongoing and growing need for blood donors, as many patients from coastal areas have been transported to hospitals in the region.

The organization said that on an average day, it needs to see at least 200 donors per day. That number magnifies during times of natural disaster and the need for donors will continue well into the next few weeks.

Those wishing to donate blood can visit the We Are Blood website or call 512-206-1266 to schedule an appointment. Walkins are also accepted but appointments are greatly appreciated. There are two donation locations in Austin, one in Round Rock, as well as several mobile drives taking place across the area.

We Are Blood said if a surplus of blood is donated, it will send more to our neighbors along the coast.

Keller Williams Realty - KW Cares

Keller Williams Realty is accepting donations through its relief group KW Cares, which it said has semi-trucks and warehouse space in place to respond to disasters around the country at a moment's notice.

In addition to a warehouse command center set up in Houston, Keller Williams Realty offices throughout Austin are mobilizing to help the victims of Harvey. From 8:30 a.m. to 5:30 p.m. this Monday through Thursday, the Keller Williams Southwest Market Center is collecting items at 1801 S. MoPac Expy.

Here's a list of items KW Cares is requesting:

Wheelbarrows

Large black trash bags

Gloves

Face masks

Brooms, mops and cleaning supplies

Paper towels, paper plates and toilet paper

Plastic utensils

Pet food

Rubber boots

First-aid kits

Flashlights

Batteries of all sizes

Blankets

Toiletries

Bug spray

New socks and underwear

Bottled water

Ice and Styrofoam coolers

Hurricane Harvey Benefit Fashion Show

The J.W. Marriott in Downtown Austin will be hosting at Hurricane Harvey Benefit Fashion Show at Friday, Sept. 8.

Event organizers said 100 percent of ticket sales will be donated to hurricane relief via J.J. Watt's hurricane relief fund. A minimum ticket purchase will cost \$50, but guests can donate as much as they like.

Participating runway designers include Daniel Esquivel, Ross Bennett, Samantha Plasencia, Gail Chovan, Masha Osoianu, Adrienne Yunger, the Austin School of Fashion Design and many more.

More info can be found on their website.

Austin Diaper Bank

RELATED:

How to help: Austin animal shelters expecting influx of animals after Hurricane Harvey

Note: This is an ongoing list. Check back for updates.

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Volunteers needed for beach cleanups

FOX7, Austin, TX September 12 2017 AUSTIN, Texas - Cleanup efforts continue in parts of Texas that were ravaged by Hurricane Harvey.

The Texas coast was also hit hard and some parts were left destroyed.

Volunteers will hit the beaches for cleanup efforts starting Saturday Sept. 23. from 9 a.m to noon.

"Hurricane Harvey was a destructive force that ravaged communities along the coast, but on Sept. 23, Texans from far and wide are going to come together to help restore our Texas beaches," said Land Commissioner George P. Bush. "Many residents of the towns and communities along the Texas coast are dependent on tourism for their livelihood. Sign up now to join forces with thousands of other Texans who care about the coast and helping Texans rebuild."

If your interested in helping you can register online at www.TexasAdoptABeach.org. or register on-site at 8:30 a.m. Saturday for one of the 14 sites.

- o Houston/Galveston area: Galveston Island, Morgan's Point, Nature Conservancy's Texas City Prairie Preserve
- o Brazoria County: Quintana & Surfside Beach
- o Port O'Connor: Boggy Nature Park and King Fisher Beach
- o Corpus Christi: Baffin Bay, North Beach, North Padre Island/Padre Balli Park, and Padre Island National Seashore
- o Rio Grande Valley: South Padre Island/Andy Bowie Park, Town Beach Access #3 and Boca Chica

To learn more about the Adopt-A-Beach program, visit www.TexasAdoptABeach.org or contact the GLO at 1-877-TXCOAST.

Luke Bryan Invites Hurricane Harvey First Responders to Houston Show

Country FanCast By Sarah Netemeyer September 13, 2017

Country music hit-maker Luke Bryan has big plans for his upcoming Houston tour stop. Those plans include first responders and a generous donation!

Country music superstar Luke Bryan and his team are currently coordinating with Houston-area authorities to make tickets available to members of Hurricane Harvey's first responder teams to attend his Houston, Texas concert on Friday, September 22nd at Cynthia Woods Pavilion. Luke will also generously donate concert proceeds to benefit the Houston Community Fund.

On Tuesday night, Luke participated in the Hand in Hand: A Benefit for Hurricane Relief Telethon special live from Nashville as part of the celebrity phone bank answering donor calls. Check him out with actresses Reese Witherspoon and Nicole Kidman!

The show, which now benefits Hurricane Harvey and Irma victims, was broadcast across ABC, CBS, CMT, FOX and NBC from Los Angeles, New York, San Antonio, and Nashville at the Grand Ole Opry House. The show was also available internationally via live stream on Facebook, YouTube, and Twitter during the first broadcast and featured some of the nation's biggest stars including George Clooney, Jamie Foxx, Beyoncé, Rob Lowe, Matthew McConaughey, Dennis Quaid, Julia Roberts, Adam Sandler, Ryan Seacrest, Blake Shelton, George Strait, Barbra Streisand, Cole Swindell, Oprah Winfrey, Reese Witherspoon, Nicole Kidman, and more.

The Hand In Hand telethon was a major hit! So far, the star-studded event has raised more than \$44 million for hurricane relief efforts in Texas and Florida.

Originally, the star-studded event was put together to benefit the victims of Hurricane Harvey in Texas. It was later expanded to include those affected by Irma, which hit the southeastern United States over weekend. According to new outlets, it has been estimated that both massive storms caused between \$150 billion and \$290 billion in damage to Texas and Florida.

At least 70 people died during Hurricane Harvey, and 22 deaths have been reported in the United States due to Hurricane Irma. We're thrilled to see Luke Bryan put in the time to really help out others and give the brave first responder teams the recognition they deserve.

Be sure to share this heartwarming update with other fans of the Georgia native!

Willie Nelson, Paul Simon join Texas Strong concert for Harvey relief

KVUE-TV, Austin, TX

September 13, 2017

AUSTIN, TEXAS - Willie Nelson, Paul Simon, James Taylor, Bonnie Raitt, Leon Bridges and others will come together on Friday, September 22 for the largest live benefit concert in Texas.

Harvey Can't Mess With Texas: A Benefit Concert for Hurricane Harvey Relief will take place at the Frank Erwin Center in Austin.

Performers include:

Willie Nelson
Paul Simon
James Taylor
Bonnie Raitt
Leon Bridges
Lyle Lovett
Nathaniel Rateliff & The Night Sweats
Edie Brickell & New Bohemians
Ryan Bingham
Ha*Ash

The evening will include special appearances by Matthew McConaughy, Dan Rather, Renée Zellweger, Luke Wilson, Austin Mayor Steve Adler, Houston Chief of Police Art Acevedo and many more. Charlie Sexton will serve as Music Director, with Asleep at the Wheel sitting in as the house band.

Tickets go on sale today at 3:00 p.m. CT at www.rebuildtx.org, with prices ranging from \$30-\$199.

Eleven Texas stations will exclusively broadcast a one hour, commercial free special, "Texas Strong: Harvey Can't Mess With Texas," from 9:00 to 10:00 p.m. CT. The concert will also live stream internationally during the broadcast hour on YouTube.com/TexasStrong.

Google will match the first \$500,000 of donations through a pledge challenge. Volunteers from Google's Austin office and our station employees will staff the phone banks at select station locations across the state.

All viewers can support the relief efforts in post-Hurricane Harvey Texas by calling 1-833-2-HELPTX, or online at www.RebuildTX.org to make a donation.

Stations airing the broadcast concert include: WFAA, Dallas; KHOU, Houston; KVUE, Austin; KENS, San Antonio; KBMT, Beaumont; KCEN, Waco-Temple-Bryan; KAGS, College Station; KIII, Corpus Christi; KYTX, Tyler; KIDY, San Angelo; and KXVA, Abilene. These are all stations owned by our parent company, TEGNA.

"We got lucky when Hurricane Harvey avoided Austin, but though it missed us, it hit our neighbors hard. Every time I've asked you to help our neighbors you've risen to the challenge," said Austin Mayor Steve Adler. "Now we have an opportunity to do good by being our best, and that means putting on a show and having a good time. Let's show the world what it means to be the Live Music Capital of the World in the greatest state in the Union. I'll be there and hope to see you, too."

Proceeds will benefit Rebuild Texas Fund. Rebuild Texas Fund was created by the Michael & Susan Dell Foundation in collaboration with the OneStar Foundation. The four focus areas of the fund include: health and housing; schools and child care; workforce and transportation; and capital for small businesses. The Dells are working to raise a total of \$100 million for the long-term relief, recovery and rebuilding efforts for all affected communities in Texas. "For us, this is personal," said Susan Dell. Both Michael and Susan Dell are Texas natives and Michael Dell is from Houston. "This fund was created to help rebuild all of the communities – big and small – that have been devastated by Hurricane Harvey. We will be rebuilding for years to come," said Michael Dell.

Harvey Can't Mess With Texas: A Benefit Concert for Hurricane Harvey Relief is generously organized with donated efforts and services by Springboard Productions, Solomon Group, Big House Sounds, Soundcheck Austin, The Frank Erwin Center, Hotel Van Zandt, GSD&M, Andy Langer, Texas Music Office, and the City of Austin, as well as media partners KUTX, KGSR, Texas Monthly, Austin American Statesman, and Austin Chronicle. TEGNA is producing the broadcast in partnership with Debra Davis Productions. Austin-based C3 Presents will proudly produce the live event with all services donated.

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Social Media

Summary

On social media today, scams, neighborhood debris issues and flood insurance continues to be on the minds of Texans. While there are some positive supportive posts about FEMA in general, the posts discussing Harvey and Texas tend towards negative sentiment.

- People are sharing a diverse mix of personal opinions and news stories such as the one by DallasNews.com that
 states that on Wednesday, NFIP Director Roy Wright <u>pledged to quickly to get money</u> into affected policyholders
 hands, despite the program only having \$1.5 billion on hand.
 - User discussions continually point to the fact that the NFIP is in debt and may run out of money, which is concerning to residents (Example 1, Example 2).
 - One person tweeted that <u>FEMA will only be able to help so much</u>, due to only "20%" of Houston homeowners having NFIP coverage.

Security Concerns

- A militia group is <u>actively recruiting armed members</u> and non-members to come to Texas to assist with what they claim are security operations. Some have been here since early in the flood rescue efforts. One of the posts on this group's Facebook page takes you to a <u>link to donate</u> to their group so that they can continue <u>keep disaster supplies</u> safe from "disaster pirates" (Group website).
- A citizen <u>posted on twitter</u> that they are concerned with the presence of militia members in Texas who claim to be helping on disaster relief but who have also been active in many recent rally events around the country. The citizen posted that this group <u>associates with violent individuals</u>. One of the posts in this twitter thread also <u>tagged</u> the <u>@FEMAregion6</u> account.

FEMA

- There was low activity on the FEMA page discussing Hurricane Harvey; the comments that mentioned Texas were mostly negative.
- Many are <u>reacting to a post</u> from a local resident seeking help on how to go about removing mold from her apartment because the landlord and FEMA have not been much help. Commenters are advising her to call FEMA

and keep calling until she gets hold of someone, but other commenters advise that she should seek assistance from nongovernmental groups.

- An update post about three Harvey-affected families living in Eagle Lake is gaining moderate attention.
 - o The families were displaced due to the hurricane and has been staying in a hotel since.
 - A commenter suggest they file for FEMA or other relief agencies to help find better living arrangements until they can return to their homes.
 - o Another commenter is stating all those agencies are backed up so the family is waiting to hear a response.
 - o Most are expressing sympathy to the families.
- Texas citizen posts under a photo collection on the FEMA Facebook page that only Houston is being helped by FEMA (cannot link directly to the post because it's a photo collection) https://www.facebook.com/FEMA/posts/10155252571729965

Recovery

- A KFDM article about Berthing barges <u>being used to house survivors</u> at Port Arthur linked to their <u>Facebook page</u> has been gaining traction at 240+ impressions, 173+ shares, and 56+ comments. Public response has been mixed, with some users <u>saying it is needed</u> and others <u>complaining</u> that FEMA should have <u>brought out trailers</u> instead or saying that FEMA would be bringing out trailers in <u>conjunction with the barges</u>.
- Hardin County Emergency Management posted that they had <u>requested a FEMA DRC</u> for their county and promised to provide updates. <u>Modest but positive</u> response in the comment section.
- Jefferson County announced the opening of a <u>Disaster Recovery Center</u> on 09/13/17. 115+ shares were done on the post, and in the comments users expressed confusion about the <u>perceived lack of communication</u> for the Disaster Recovery Center in Port Arthur.
- There have been some traffic about "FEMA Trailers", mainly questions from people wondering whether they will be made available (Example).

FEMA Denials

- Residents continue to share their frustrations over FEMA denials and inspection issues.
 - One person posted that they met with a second inspector who stated that for every one inspection, he comes behind them 3 times due to incorrectly conducted inspections.
 - o Multiple residents are expressing their frustration at being denied (Example 1, Example 2).
 - Some users are replying to these posts and providing helpful tips and guidance (Example 1, Example 2).
- There is a moderate conversation surrounding survivors getting approved or awaiting approval for disaster assistance through FEMA. Some commenters are saying it's taking a long time for their assistance money to be added to their personal bank accounts. Others are just waiting to hear back on if they have been approved by FEMA or not. There also appears to be confusion being shared about which funds need to be paid back
- There are some <u>conversations occurring</u> surrounding what FEMA denies or approves for disaster impacted homes. Some residents are sharing what they know through their experiences with FEMA. Most are upset because they do not fully understand why some items or their homes are being denied compared to others.

Vector Control

0

- Brazoria County put out an <u>active post</u> with 316+ shares on their official Facebook about vector control in their area. Comments are mixed between <u>overwhelmingly positive</u>, asking for vector control in their <u>specific areas</u>, and skeptics who think that the vector control will harm humans.
- County Judge Trey Duhon <u>posted an update</u> on vector control in Waller County which has received moderate activity. Response was generally positive, but as we reported in yesterday's listening report, residents are concerned about the effect the vector control will have over the local bee population.

Survivor Health Concerns

- A news article posted on twitter stating that water testing shows that toxic water flooded Houston homes: https://twitter.com/grist/status/908285973645099009
- Here is the article mentioned in the tweet
- The article links to a New York Times article from Sept 11 that first mentioned the Houston water testing.

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/11/2017 7:45:21 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: Attached

Attachments: Contact Pat.docx; additional_ap_errors.pdf

WRAL: McCrory accuses AP of 'malice' in stock payout reporting

By Mark Binker and David Crabtree

December, 2014

RALEIGH, N.C. — Gov. Pat McCrory said Thursday he did "nothing improper" when he accepted an accelerated stock payout from Tree.com, which was first detailed by the Associated Press earlier this week.

Tree.com is the Charlotte-based corporate parent of Lending Tree. McCrory served on its board before being elected governor, and the AP's reporting indicates that the company took some unusual steps to pay for \$171,071 in stock he would have otherwise lost because he left the board before his term on the board of directors was up. That payout came after he become governor and had the authority to appoint members of the state banking commission.

"We did nothing improper, we did nothing unethical, we followed all the rules of North Carolina, and we surely didn't do anything illegal," McCrory said in an interview with WRAL News.

McCrory said he was proud of his work for the lender and described the AP story as "almost like a political commercial." The governor said he saw the story as one that "has political hand prints all over it."

Since the story's publication, McCrory has vigorously pushed back, issuing numerous statements from the Governor's Office and his campaign, including an eight-point refutation of the story and a 34-page critique of the reporter's prior work.

"I think it was close to malice, some of the things he said in the story," McCrory said.

Asked if it was appropriate to take such a strong stance, including impugning the work of a specific reporter, McCrory replied, "Absolutely."

"If someone is saying something, especially attacking your integrity, and they're misleading the public, you better fight back," he said.

Paul Colford, director of media relations for the Associated Press, said the wire service stands behind its work.

"We have reviewed our work very carefully and stand behind the reporting," Colford said.

The Associated Press is a wire service owned by its U.S.-based members. Information and stories on the AP wires appear in media outlets across the country and around the world, including on WRAL.com and in WRAL News broadcasts.

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McCrory verbally spars with AP reporter

Tags: Pat McCrory Posted January 5, 2015 By Mark Binker

DURHAM, N.C. — Gov. Pat McCrory continues to maintain he properly reported a payout from Tree.com, telling an Associated Press reporter Monday that the news agency's story presents a "false impression" of his dealings with the company.

The story stems from McCrory's time in the private sector between his unsuccessful run for governor in 2008 and his winning bid that landed him in office at the beginning of 2013. During that time, McCrory served on the board of Tree.com, the Charlotte-based parent of Lending Tree.

Normally, as a director of the company, McCrory would have had to serve out his term on the board before he would be entitled to own certain stock tentatively granted to him. However, he took his oath of office and resigned from the company's board before that stock had vested.

The AP reported last month that McCrory accepted stock that was converted from that restricted form to common shares worth \$171,071 as of Jan. 30, 2013, weeks after he took the oath of office but the same day he stepped down from the Tree.com board. McCrory also received another \$10,063 in payments from Tree.com that same year, despite no longer being on the board.

The news agency has questioned whether McCrory properly reported those benefits on state ethics forms. McCrory maintains that he has, although those forms appear to reflect stock ownership and not a direct cash payment.

"You continue not to correct your mistakes," McCrory told the AP reporter, Michael Biesecker, after the governor spoke to an economic forecast forum in Durham.

Biesecker pushed McCrory to confirm that he received the payment from Tree.com, to which McCrory said, "I stand by my facts as you stand by your story." He then cut off further questions about the Tree.com story.

A spokesman for McCrory later clarified that McCrory had, in fact, received the payment and believed he was responding "yes" to a question about the payments.

During a later exchange after some intervening questions, McCrory told Biesecker, "Read our response, which is pretty substantial."

That response from the McCrory administration was itself unusual. The governor's communications staff took the extraordinary step of not only answering the questions raised by the AP in writing but assembling a 34-page dossier on Biesecker critical of his work covering the administration.

None of those written responses address the question posed Monday, which is whether McCrory actually received the payment noted in the AP report.

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/9/2017 5:08:26 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]

Subject: Fwd: Response to AP Article 'AP Exclusive: Flooding threatens Toxic Sites as Irma Nears'

This is the final

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" < Bowman.Liz@epa.gov > Date: September 9, 2017 at 12:15:17 PM EDT

To: "Pace, Julie" < !Pace@ap.org>

Cc: "Graham, Amy" <graham.amy@epa.gov>, "Jahan Wilcox (wilcox.jahan@epa.gov)"

<wilcox.jahan@epa.gov>

Subject: Response to AP Article 'AP Exclusive: Flooding threatens Toxic Sites as Irma Nears'

Hi Julie – Want to reach out with regard to our ongoing communications about what we believe are biased stories from Michael Biesecker. If the Associated Press wants to spend resources during a Category 4 hurricane to fly reporters above Superfund sites to appease Michael Biesecker's whims from Washington, that's your outlet's decision. However, we want to be clear that we feel this is yet another example of his attempt to discredit the Administrator through biased reporting. We also encourage you to decide if AP has a different standard for the Trump Administration as it did for the Obama Administration – and if it's the Associated Press' standard is to quote people who were misleading about their motivations for leaving EPA, and former EPA interns, with no expertise in the area for which they are being presented to the public as experts? As our press release about Biesecker's last story was criticized for not outlining specific falsehoods or inaccuracies, I have outlined them below for you. He says that the 'public has a right to know' - don't you agree that the public also has a right to understand? This article, focused on how people may be exposed to hazardous waste does not explain risk, hazard or exposure. These concepts are vital to readers understanding of this issue. We look forward to hearing from you about how the Associated Press plans to address these specifics and the ongoing bias from Michael Biesecker. Thank you – Liz

<u>Please note the following exclusions and misleading information in Michael Biesecker's</u> article: "AP Exclusive: Flooding threatens toxic sites as Irma nears"

HEADLINE: AP Exclusive: Flooding threatens toxic sites as Irma nears

- <!--[if !supportLists]--><!--[endif]--><u>AP Misleads:</u> AP was never offered an exclusive, there is nothing 'exclusive' about writing about information readily available on our public website

Betsy Southerland: "who has criticized EPA's current leadership under President Donald Trump"... "who retired last month as director of science and technology in EPA's Office of Water after 30 years at the agency"

- <!--[if !supportLists]--><!--[endif]--><u>AP Excludes:</u> former employee who walked away from the Agency as soon as she was eligible for her six figure retirement
- <!--[if !supportLists]--><!--[endif]-->AP Misleads: It's also worth noting that she was a director in the Office of Science and Technology in the Office of Water (OST) while this office is responsible for understanding how pollutants and contaminants may spread Superfunds are overseen by the Office of Land and Emergency Management (OLEM). She is not an expert on hurricanes or Superfunds.
- <!--[if !supportLists]--><!--[endif]--><u>AP Excludes:</u> Quotes from any leader or experts in OLEM or the potentially responsible parties who manage ongoing cleanup of sites AP visited (or surveyed)

Stephen Sweeney: "The EPA needs to do a better job helping people who live near Superfund sites stay informed with accurate information, said Stephen Sweeney, a former employee in EPA's office of policy and one of the American University researchers who conducted the Superfund flooding study."

- <!--[if !supportLists]--><!--[endif]-->AP Excludes: Sweeney was a "student trainee" and a fellow at EPA for about 14 months – he seems to have been a master's student, not an researcher employed at AU. He is currently a consultant at a management and IT consulting firm in McLean, VA https://www.linkedin.com/in/sweeneystephen1/

"A risk analysis by EPA concluded in 2012 that flooding at such sites in South Florida could pose a risk to public health by spreading contaminated soil and groundwater."

- <!--[if !supportLists]--><!--[endif]--><u>AP Excludes:</u> This is reference document prepared by a contractor, it is not an official EPA report. Michael was told this in April, when he received the report, and this information is available publicly on FOIA online. And, this information was repeated again to him yesterday.
- <!--[if !supportLists]--><!--[endif]-->Specifically, Michael was told: "We are also attaching the internal report developed for EPA through our mission support contract. The report [was] prepared to inform and prioritize program adaptation efforts, and is not intended as an Agency publication."

"Of particular concern was the one-acre Miami Drum Services site."

- <!--[if !supportLists]--><!--[endif]--><u>AP Misleads:</u> Who determined this was "of particular concern"? This seems like an opinion of an unidentified individual. EPA has determined that it is a "low vulnerability site"
- <!--[if !supportLists]--><!--[endif]--> AP Excludes: Readily found on our website: "Dade County teamed with EPA on a strategy to remove 15,000 tons of contaminated soil and treat over 650,000 gallons of contaminated groundwater. The successful cleanup enabled Dade County to finish construction of the William Lehman Operations and Maintenance Center, the County's 82-acre train repair facility. Today, the facility ensures the safety, quality and timeliness of Dade County's commuter trains, which serve 50,000 people each day." https://www.epa.gov/superfund-redevelopment-initiative/superfund-sites-reuse-florida

"It is located over a drinking-water aquifer in a heavily industrial area of Doral, in west Miami-Dade County. The site was once home to more than 5,000 drums of various chemicals, some of which were dumped onsite after the metal containers were washed with a caustic cleaning solution. That solution, mixed with the chemical residues in the drums, leaked into the Biscayne Aquifer, a drinking water source."

- <!--[if !supportLists]--><!--[endif]--><u>AP Excludes:</u> This spill happened between 1966 and 1985. This site was delisted from EPA's NPL site in 1985.
<u>http://www.dep.state.fl.us/waste/quick_topics/publications/wc/sites/summary/ERIC_3</u>
778.pdf

"At the Anodyne site in North Miami Beach on Friday, the AP found three sealed steel drums labeled as being filled with "IDW" soil and water in the open, weed-covered field behind a building. IDW is the designation for "investigation derived waste." The drums were labeled, "Do not disturb." Bowman said the barrels were low-risk to human health."

- <!--[if !supportLists]--><!--[endif]-->AP Excludes: Barrels contained rocks and dirt, were being removed before landfall. We specifically said: "EPA confirmed that the barrels contain cuttings from where a water well was drilled, which is primarily dirt and rocks. They were identified as low-risk to human health, and are in the process of being removed before the hurricane makes landfall."
- <!--[if !supportLists]--><!--[endif]-->AP Excludes: An explanation of the difference between risk, hazard and exposure. This is vital information to an article claiming about this topic. The article starts out discussing hazardous materials, yet in no place does it explain risk, hazard or exposure to the public.

"The EPA said soil and groundwater at the former industrial site was contaminated with a brew of toxic chemicals, including pesticides, solvents and heavy metals."

- <!--[if !supportLists]--><!--[endif]--><u>AP misleads:</u> EPA's responses to AP did not include this statement

"The EPA has made significant efforts over the last week to publicize its response to flooding at Superfund sites in Texas and allay concerns about similar sites in Florida. That followed an Aug. 26 report by AP that at least seven Superfund sites in the Houston region had flooded during Hurricane Harvey. AP journalists on the scene in Texas surveyed the sites by boat, vehicle and on foot."

- <!--[if !supportLists]--><!--[endif]--><u>AP misleads</u>: We are not making 'significant efforts to publicize its response to flooding' we are doing what the Agency should do inform the public about potential risks and what staff, local and state officials along with those responsible for ongoing cleanups are doing to protect human health and the environment around sites around hurricanes
- <!--[if !supportLists]--><!--[endif]--><u>AP Excludes</u>: Governor Abbott's comments about how EPA is being "very aggressive" on Superfund sites https://www.msn.com/en-gb/video/other/abbott-epa-very-aggressive-on-superfund-sites/vi-AArbnrf
- <!--[if !supportLists]--><!--[endif]-->AP Excludes: Houston Mayor Sylvester Turner's statement about EPA's leadership to secure superfund sites, and noting that our Regional Administrator, Sam Coleman and two senior representatives from Administrator Pruitt's office met with the Mayor to discuss Superfunds in the Houston area.
 - https://twitter.com/SylvesterTurner/status/905174698878795777
- <!--[if !supportLists]--><!--[endif]-->Excluded from AP article: EPA Regional Administrator Sam Coleman and TCEQ Chairman Bryan Shaw were recognized by Governor Abbot for their work to protect human health and the environment at the Governor's press conference on Rebuilding Texas. Surely, the Associated Press had a reporter at the Governor's press conference right after the hurricane about his announcement to start a commission to rebuild the state?

"Since then, EPA has been issuing daily updates about its efforts. On Monday, the agency organized a media tour of one of the Houston sites highlighted in AP's reporting, though AP was not notified about the press event and was not able to attend."

- <!--[if !supportLists]--><!--[endif]-->AP Excludes: The Associated Press showed up unannounced at various Texas Superfund sites. EPA did schedule a press event. EPA accommodated press went through normal channels to request access to these sites.

"Pruitt, who has questioned the severity of consequences from global warming, has been largely silent on the threat posed to Superfund sites by rising seas and more powerful storms."

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Around Harvey and Irma, Administrator Pruitt has done multiple interviews discussing how EPA is working with those responsible for the ongoing cleanup.
- <!--[if !supportLists]--><!--[endif]-->AP Misleads: Even in THIS article, AP quotes Administrator Pruitt in his interview with Bloomberg discussing the efforts that EPA is taking to address threats posed by the storm: "Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt told Bloomberg News on Thursday. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive."

The EPA declined to make Pruitt available for an interview with the AP, but he spoke about Superfund sites this week in interviews with CNN, Bloomberg and ABC News.

- <!--[if !supportLists]--><!--[endif]-->AP Misleads: EPA scheduled a meeting between Julie Pace and Administrator Pruitt prior to this article being published. Executive editor Sally Buzbee has also been invited to meet with Administrator Pruitt. We are more than willing to meet with the Associated Press.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/9/2017 3:08:56 PM

To: Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: UPDATED For Review: Response to AP

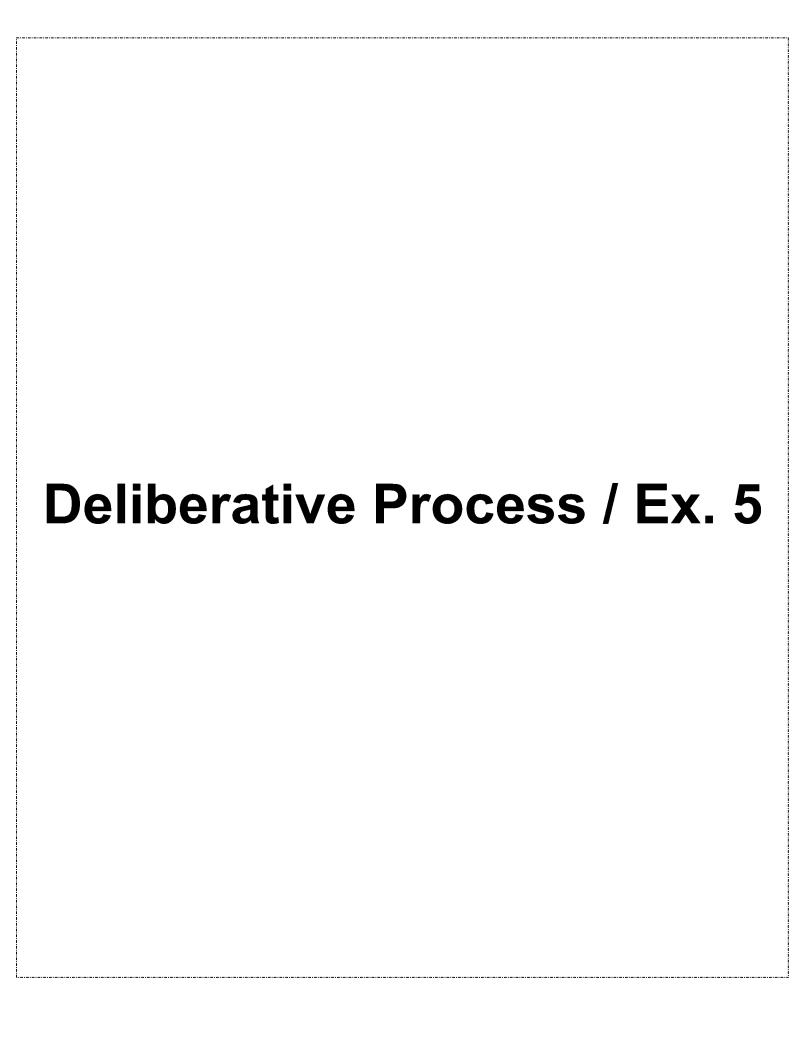
Hi Julie - Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative	Process	1	Ex.	5

Deliberative Process / Ex. 5



Deliberative Process / Ex. 5

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Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Messag	ţе
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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/9/2017 2:50:03 PM

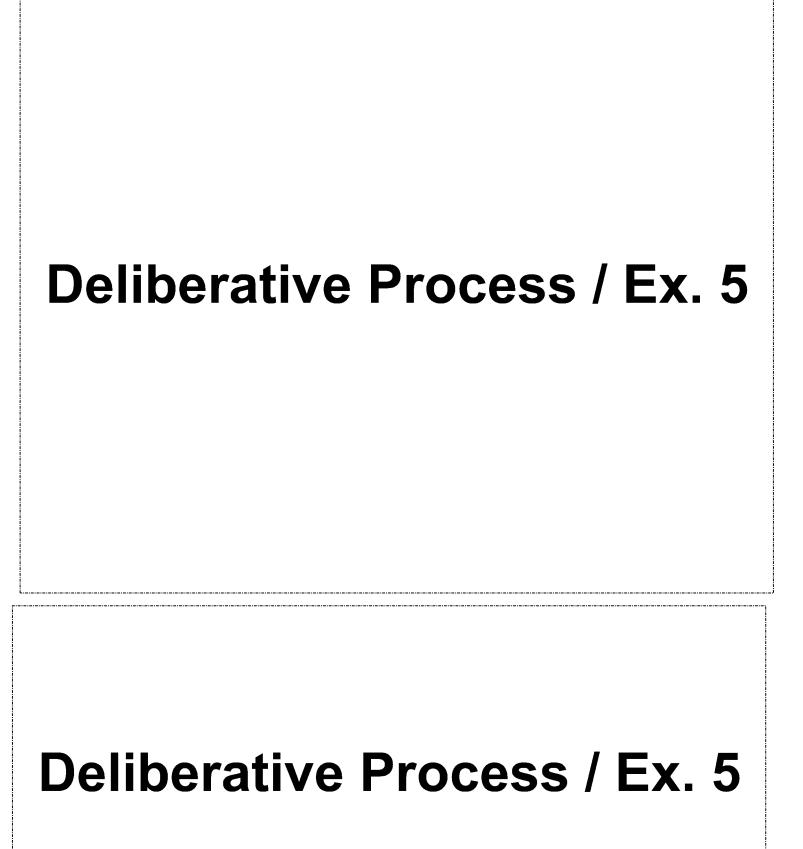
To: Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James

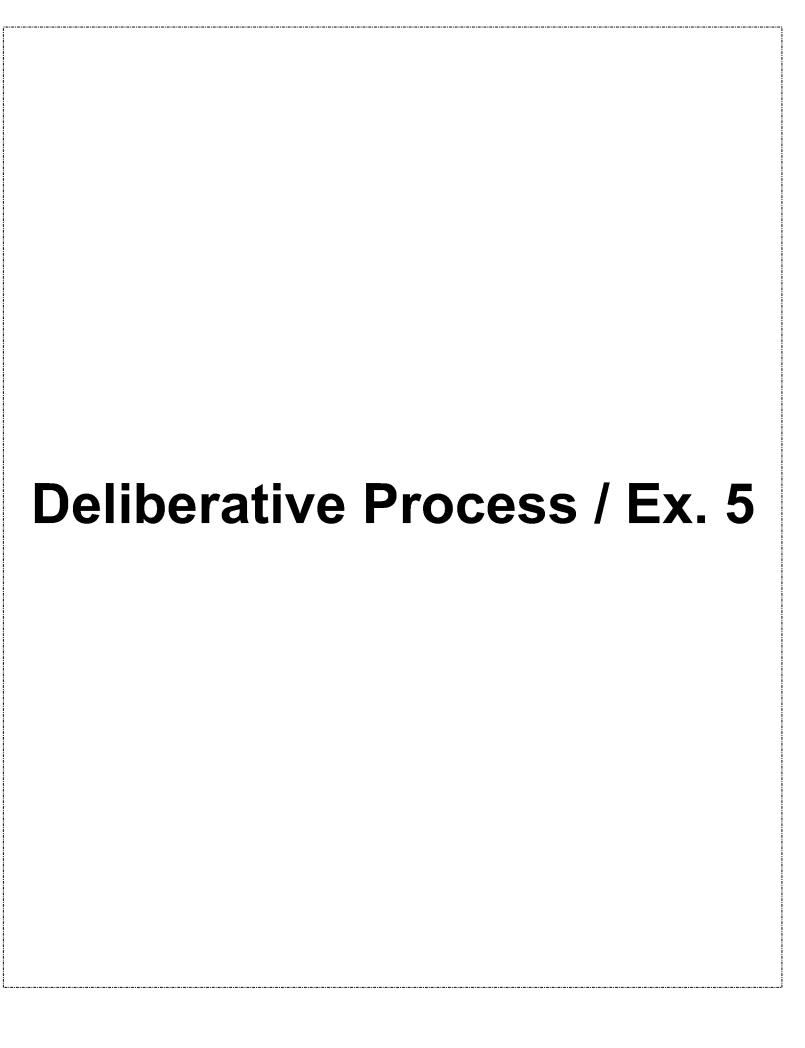
[hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: For Review: Response to AP

Importance: High

Deliberative Process / Ex. 5





Deliberative Process / Ex. 5

Liz Bowman U.S. Environmental Protection Agency (EPA) Office: 202-564-3293

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 9/8/2017 7:30:50 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: FW: Superfund sites & storm surge

Attachments: Adaptation Summary Report_2_16_12 Final.pdf; Locations.xlsx

This is the report to send .. with the language that I just sent you that went with the foia.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 (mobile)

From: StClair, Christie

Sent: Friday, September 08, 2017 11:32 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: FW: Superfund sites & storm surge

Nancy, here is what we sent them initially.

From: StClair, Christie

Sent: Wednesday, August 30, 2017 6:54 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Dearen, Jason H. < JDearen@ap.org>

Cc: Press < Press@epa.gov>

Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks,

Christie

From: FEMA-ESF15-Coordination [FEMA-ESF15-Coordination@fema.dhs.gov]

Sent: 9/7/2017 4:26:27 PM

Subject: FEMA: TX 4332 Media Monitoring Report 09072017 morning

Attachments: image005.emz



Movement and the highest	

Hot Issues

None

Analysis/Trends

- Coverage continues to focus on the recovery phase of Harvey. Print and broadcast stories highlight damages
 flood survivors are returning to and what options are available to them. Recent coverage show challenges faced by
 homeowners, renters and businesses.
- FEMA coverage continues to focus on getting survivors registered for disaster assistance, updated stats on survivors receiving assistance and housing.
- Extensive coverage of Hurricane Irma as it batters the Caribbean Islands and threatens south Florida
- No negative FEMA coverage.

Social Media Analysis

Conversation about Harvey continues at a steady level from yesterday, with a few national-level stories driving attention from the general public to Harvey. Conversations from the affected area continue along the same lines as earlier today, focused on recovery and with many local officials and volunteer groups sharing frequent updates about progress being made. There has been slight increase in people talking about getting denied FEMA assistance—while the number of direct inquiries about individual assistance towards our official account has not changed much in the last few days, there has been increased discussion on other community groups discussing people's personal experiences with FEMA.

Summary of Coverage

- Houston's small businesses struggling to reopen after the storm
- Harvey's devastation has left large imprint on northwest Houston neighborhood
- Six Hurricane Harvey victims identified by Galveston County
- Federal health officials looking to help Houston recover from Harvey
- Step-by-step instructions for applying for FEMA assistance
- Federal disaster aid available to hurricane survivors who apply

- Know your rights as a renter if your property is flooded
- FEMA focusing on Harvey response with dwindling cash as Irma looms
- Florida residents get mix messages about evacuating ahead of Hurricane Irma
- Past hurricane survivors provide roadmap to those rebuilding after Harvey
- Harvey survivors look for answers at Angleton Disaster Recovery Center
- FEMA breaks down steps for applying for disaster assistance
- New York men take own time and money to help Harvey survivors
- New Mexico businessman leads the way helping hurricane survivors

Notable Quotes

"This is the last time for me. It's emotionally draining. I just can't do it anymore."- Mr. Jucker, Three Brothers Bakery owner

"Hopefully, FEMA will give me some help, and from there I just have to move on day by day. Everything was damaged during the flood, my whole house. The whole Harvey flood experience was dramatic. I'm still going through it. I have my moments because I walk through my house and all the money I've spent, it's just gone, all of my hard work."- Alice Riley, Northwest Houston resident

"They're wanting you to pay rent now, so when they get through gutting the houses, you can move back. No, I don't have anywhere to go. I can't pay rent with no money."- Elizabeth Crouts, Houston resident

"We came down here on our own dime in an effort to help as many people and animals as we could. We have been on search boats with dogs, been into neighborhoods that were covered in 10 feet of water, jumped onto rooftops, aided in asset procurement for survivors, and had the pleasure of meeting some of the kindest and most welcoming families in the heart of some of the worst destruction ever seen in this country." –Ricky Mancini, Somers, NY resident

Headlines

Houston's Small Businesses Struggle To Reopen After Harvey

Cleanup Continues For Cypress-area Neighborhoods After Harvey

Galveston County Identifies 6 Hurricane Harvey Victims

'It Really Was All Hands On Deck.' How Federal Health Officials Responded To Hurricane Harvey

Applying for FEMA assistance.

Financial Relief Underway for Black Homeowners and Entrepreneurs Recovering from Harvey

What are your rights as a renter if your property is flooded?

FEMA still focused on responding to Harvey with dwindling cash as Irma looms

Florida Residents Receive Mixed Messages About Hurricane Irma Evacuations

The Biggest Question For Hurricane Survivors Is 'What Now?'

Flood Recovery

Survivors Ask FEMA For Answers In Angleton

What FEMA Says You Need To Know About Receiving Emergency Assistance

Volunteers/Donations/Charities

Somers Man Helps Hurricane Harvey Relief Efforts in Texas

Local businessman leads the effort in helping Hurricane Harvey victims

Stories

Federal and State Agencies Continue to Help Disaster Survivors

WSAV-TV, Savannah, GA

By Beau Engler December 23, 2016

Columbia – The last day for Hurricane Matthew survivors to apply for federal disaster assistance was Dec. 13, but personnel from federal and state agencies remain active in helping South Carolina recover from the devastating storm.

Together, these agencies continue to help disaster survivors with ongoing storm-related needs and needs not met by insurance settlements. Residents can obtain information about what kind of disaster assistance is still available with just a phone call to the FEMA Helpline at 800-621-3362 (voice, 711 or video relay services) or 800-462-7585 (TTY). The line is open every day from 7 a.m. to 10 p.m. until further notice. Multilingual operators are available. Information is also available at www.DisasterAssistance.gov.

September 7, 2017 5:24 AM

Houston's Small Businesses Struggle To Reopen After Harvey

Associated Press,

By Paul Wiseman And Brian Melley

September 6, 2017

Houston — In 2008, hurricane like tore the roof off his business, Three Brothers Bakery. Now, he estimates, he's facing \$1 million in damage and lost revenue from Harvey – the fifth time a storm has put his bakery out of commission. He's always recovered before. But this time, he wears the weary countenance of a man nearly broken.

"This is the last time for me," he says. "It's emotionally draining. I just can't do it anymore."

More than a week after Harvey poured more than 4 feet of rain on Houston, killing at least 65 people, destroying thousands of cars and leaving hundreds of thousands of families with flood-damaged homes, America's fourth-biggest city is striving to reopen for business.

Houston's airports and shipping lanes reopened to limited traffic last week. Some workers returned to their offices Thursday or Friday. More followed on Tuesday after a long Labor Day weekend of cleanup and regrouping. With waters receded, some parts of the sprawling metropolitan area look virtually untouched. Yet in other places – the leafy bedroom community of Kingwood or the Meyerland neighborhood – piles of debris sit above curbs, industrial-size dumpsters dot shopping-center parking lots and the air is thick with the odor of mold and decay.

"I'm encouraging people to get up and let's get going," Mayor Sylvester Turner said over the weekend. "Most of the city is dry. And I'm saying to people, if you can open, let's open up and let's get started."

Many big businesses will likely recover relatively quickly. But small companies will struggle to replace moldy carpets and damaged equipment, to reconnect with suppliers, to meet payroll and to draw back customers, many of whom are nursing financial injuries of their own – swamped cars, flooded basements, leaky roofs.

Some companies are still too overwhelmed to resume business, which means their employees remain idle and unpaid. "The big boxes and big chains can absorb hits like this; small businesses can't," says Craig Fugate, who served as administrator of the Federal Emergency Management Agency in the Obama administration. "Some will make the decision not to reopen. Others won't be able to."

FEMA estimates that nearly 40 percent of small businesses never reopen after a disaster.

On Wednesday, Mr. Jucker hopes to reopen the bakery, which his father and two uncles founded 68 years ago. Over the weekend, the place was a wreck. Jucker tossed a ruined loaf of bread into a dumpster and pointed to a jug of blue food dye that will have to go, too. Also ruined is an icemaker, upended by flood waters. Bees swarmed garbage bags full of rotting confectionary and baking ingredients. Cream puffs and Danishes wilted on racks in the parking lot. The bakery lost the live yeast used for sourdough bread; Jucker will have to grow more. It had been roasting its own coffee but lost \$15,000 worth of beans. A remodeled cafe at the front of the bakery was mostly destroyed. One of the bakery's four industrial ovens has to be replaced at a cost of more than \$50,000. A second one needs at least a new motor, if not a full replacement.

Payroll pressure

Across town, Michael Kaufman is counting his own losses. Flood waters drenched his 29-year-old business, Wholesale Cleaners, ruining the carpet, warping the counters and wrecking the computer inside his \$40,000 Unipress machine. The damage comes to about \$10,000.

From his son's home, where he had taken refuge, he watched the nightmare unfold on the shop's digital cameras. First, the yellow lines in the parking lot disappeared in the rain. Then the water seeped inside.

The cleaners, situated in the Jewish community of Meyerland, had always enjoyed good fortune. In the past when storms hit Houston, they flooded the opposite bank of Brays Bayou. This time, water went everywhere.

"It was a lake here," Mr. Kaufman says.

Next, Kaufman faced an odd problem: Flood victims started dropping off mounds of wet shirts and slacks, some so sodden they needed to be cleaned twice. One longtime customer brought four racks of clothes.

But what sounds like a windfall isn't. Kaufman knows it may be weeks before those customers – many of them distracted and financially squeezed by home repairs – will return to pick up their clothes and pay for the cleaning. Some might never return.

Kaufman worries that some of his clients will give up on Houston and its hurricanes and move away. That's what happened in New Orleans after Hurricane Katrina brutalized that city in 2005.

In the meantime, Kaufman faces a cash crunch. And he has to meet payroll Friday.

"I'm worried about the business," he says.

Kaufman's anxiety led him to seek information about a loan from the US Small Business Administration, which has sent teams to Houston to provide emergency credit to businesses and homeowners. The SBA finances the replacement of damaged property and equipment and offers working capital loans to help businesses through the disaster. The interest rate on SBA business loans is just over 3.3 percent, only about half the rate on comparable loans from private-sector lenders.

As of early Tuesday, the SBA had approved 19 low-interest Harvey-related business loans worth \$1.7 million. "We have to get people to apply," says Michael Flores, a spokesman for the SBA disaster loan program. Often, he says, "they are just overwhelmed."

Blue-collar boom

In the short term, some Houston businesses may actually benefit in the aftermath of Harvey. Thousands of Houstonians need new cars to replace those submerged in floodwater. More need to replace carpet, drywall, roofs – even entire homes. "Anybody's who's got any type of construction or cleanup business – they're going to go off the charts," says Mr. Fugate, the former FEMA administrator. "That's going to skyrocket."

Peyton Williams, a project manager for a Houston contractor, says he's hiring laborers as fast as he can, offering \$150 a day through Facebook advertisements. On Saturday, he hired 50 laborers to do demolition work at a damaged apartment complex.

"For blue-collar construction, we're already working," Mr. Williams says, taking a break from work inside a damaged factory on Houston's north side. "Everybody wants to get back to work as fast as they can."

The businesses that reopen the fastest stand to gain an advantage. In hard-hit Kingwood, the Jason's Deli outlet reopened Thursday after a thorough cleanup. Unlike nearby competitors, the deli was spared any flood damage. For now, says Mark Livingston, a managing partner, there aren't many other options for residents who want or need to eat out.

Sheetrock and smartphones

The owners of Chic Tailors, near Brays Bayou in Meyerland, didn't wait for help. When Maria Tran and her family couldn't find a contractor, they went to work themselves, measuring and cutting Sheetrock to replace a soggy section of wall. Never mind that Ms. Tran is nine months pregnant. Even her 3-year-old son, Ander, chipped in, taking out the trash and keeping watch over the others.

Tran wants to reopen the shop quickly so her sister can take over while she gives birth to her second child. She worries because she watched customers move away after previous floods. But she says that "compared with other people, we're lucky we're still here and alive."

Smartphones and the internet allowed professional firms to keep going after disaster struck. When Harvey closed the Houston offices of the Jackson Walker law firm, top managers stayed in touch with twice-a-day phone calls.

One lawyer checked into a downtown hotel after Harvey forced him from his home and visited the empty office to inspect the computer equipment. He displayed the hardware to the firm's technology staff in Dallas via smartphone video, allowing them to diagnose problems.

For some companies, the full scope of the hardship inflicted by Harvey won't be clear anytime soon. Will a flood-damaged strip mall come back? Or will it succumb to the damage it endured, imperiling the stores and restaurants that rent space there?

"The weeding-out process takes about two years," Fugate says. Bankruptcies typically rise in the aftermath of natural disasters as companies and households buckle under financial stress.

How long will take for Houston to return to business as usual?

"I don't even want to guess," says Roberta Skebo, deputy director of the University of Houston's Small Business Development Center, which counsels businesses. "This is going to be a long process."

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Cleanup Continues For Cypress-area Neighborhoods After Harvey

Houston Chronicle,

By Vagney Bradley

September 6, 2017

Flood waters might be receding and shelter populations might be declining, but Harvey's devastation has left a large imprint in northwest Houston and surrounding areas. Many community members are now in the process of cleaning their homes or trying to salvage what they can in the aftermath of Harvey.

Alice Riley, 12-year resident of Canyon Village at Cypress Springs, is one of the many people in surrounding Houston areas who has a home that was hit hard during the flood. She did not have flood insurance.

"We evacuated to my neighbors, and then water starting rising in their house," Riley said. "So, the fire department came and rescued us and took my family and I to the shelter at The Met."

Houston alone received a total of 31.26 inches of rain within four days during Harvey.

Canyon Village at Cypress Springs is located off of FM 529 and Fry Rd. Many houses on Riley's street have carpet, furniture, and other home items stacked alongside the curb, once valuable home items, now trash. Compared to most of the homes on the street, some neighbors admit Riley's home took on most of the flood's devastation.

"Hopefully, FEMA will give me some help, and from there I just have to move on day by day. Everything was damaged during the flood, my whole house." Riley said. "The whole Harvey flood experience was dramatic. I'm still going through it. I have my moments because I walk through my house and all the money I've spent, it's just gone, all of my hard work." Riley is currently disabled and Harvey's flooding caused her to lose the carpet in her home, furniture, and all of the food in her refrigerator. Riley stayed a day in shelter and a family friend opened up their home to her after that.

"I did not feel prepared for the flood because I did not actually think that we were going to get flooded. In the 12 years I've been here we have not been flooded," Riley said. "It was shocking to see the way we were flooded. My son lost his car, and I lost my van. So, it's hectic."

A group of volunteers from Second Baptist Church helped clean some of the damages from Riley's home.

During a natural disaster such as Harvey, the Federal Emergency Management Agency will be a key component in providing assistance for repairs.

It is estimated that 770 homes were destroyed and 41,159 homes were damaged in Harris County.

Those eligible for FEMA's Transitional Shelter Assistance program may be able to stay at a participating hotel free of charge temporarily if they are unable to return home.

Additionally, Houston Volunteer Lawyers are offering free legal assistance to those affected by Harvey.

Riley does not feel her house is in any condition to reside in at the moment. She admits she might have lost most of the items in her home, but she is thankful she still has her life. She has started her application with FEMA and continues to work on her home on a daily basis.

"The house has been gutted out, and they have sprayed for molding," Riley said. "I don't think I can move back in right now because there really isn't anywhere to sleep. I'm coming back every day to clean up little by little."

FEMA's Transitional Shelter Assistance program

800-462-7585

Houston Volunteer Lawyers

713-228-0732

Red Cross Disaster Assistance

877-500-8645

Disaster Distress Helpline

800-985-5990

State Farm Insurance suggests that for people not to drive vehicles damaged by floodwater until they have been inspected by a qualified technician, document damage by taking pictures, and to start the claim process by contacting an insurance agent.

Galveston County Identifies 6 Hurricane Harvey Victims

Houston Chronicle.

By Keri Blakinger

September 6, 2017

More than a week after Hurricane Harvey battered the Lone Star State, officials in Galveston are beginning to release names of the six killed in the coastal county.

The first of the Galveston County storm deaths came on Aug. 26, when power went out in Bonnie Parsutt's Santa Fe home. With no electricity, the 69-year-old's oxygen tank failed, according to John Florence of the Galveston County Medical Examiner's Office.

Her body was recovered a day later, as flooding wreaked havoc on the small town, inundating main thoroughfares and forcing mass evacuations.

The rising waters claimed three lives Aug. 27, as the worst of the deluge battered towns along the southern stretch of Interstate 45 near Galveston Island.

Bobby Murphy, 54, drowned during ill-fated rescue efforts in Dickinson. The same day, 59-year-old Patrick Hurley drowned in League City, and 83-year-old Peter Pellerien drowned in Dickinson.

Two days later, 80-year-old Mary Avila died in Texas City when she couldn't get dialysis as a result of the storm and intense flooding.

Finally, on Sept. 3 Clevelon Brown, 64 of Dickinson, died after getting sepsis from floodwaters.

One death initially probed as possibly Harvey-related was eventually determined not to be. On Aug. 27, authorities found the body of a homeless man near shopping carts in a La Marque Walmart parking lot. Given the heavy rains the night before, authorities looked into whether the fatality was storm-related but later found it wasn't.

'It Really Was All Hands On Deck.' How Federal Health Officials Responded To Hurricane Harvey

TIME

By Elizabeth Dias

September 6, 2017

As the floodwaters recede in Houston, the focus has turned from emergency response to cleanup and recovery.

Among the federal agencies looking to help the city bounce back is the Department of Health and Human Services, which is doing everything from to helping run pop-up hospital units to moving patients from the storm's path.

U.S. Health and Human Services Secretary Tom Price visited Texas with President Trump on Aug. 29, and he plans to go again in the coming weeks. He's also looking ahead to the federal response to Hurricane Inna, which is headed toward Puerto Rico and Southern Florida.

Price spoke with TIME in the Secretary's Operations Center, aka, "The SOC," at HHS headquarters on Tuesday evening. The SOC serves as the HHS hurricane nerve center, where Price is briefed twice a day on the emergency and recovery efforts. Screens cover the walls and track everything from current electrical outages in Texas and Louisiana to which pharmacies and hospitals are open or closed.

This interview has been lightly edited for length.

What is the plan for Houston and the surrounding area in terms of the contaminants in the water?

We go through a methodical process in these activities. Obviously the first phase is the redeployment to get ready for the storm, and then it's the rescue and life-saving activities, and then it is the recovery activities, and part of the recovery activity especially with a storm of this degree is what to do with the standing water that remains, and then what to do with everything that was affected by the flooding which is a massive area. The challenges from a health standpoint are the bacteria and viruses that thrive in marine environments, contaminants, chemical contaminants from wherever the floodwater was, those chemicals can leach into the water. The biggest thing is the mold that exists afterward once the water recedes. In homes and businesses, everything that was covered with the water is subject to mold. Along with FEMA, who directs the recovery phase, our job is to make sure that those issues are addressed. From a bacteria and a viral standpoint, those folks that were exposed to it and were seen in the evacuation center, in the shelter, we've seen over 3,000 patients in the health centers with our folks since Harvey started. The majority of those are not related to the flooding itself, but there are some, there are rashes, diarrhea, you get bacterial components from the place where the water has been, so you get E. coli infections and the like that give diarrhea, nausea and vomiting, and then we will be working with FEMA on the mold to make sure people are as protected as possible as they clean out their homes.

So is it just FEMA taking the lead on handling the contaminants in the water and the aftermath of that?

EPA tests the water to determine what is in the water. We test the water as well for bacteria and for other contaminants. It is EPA's lead on the chemical contaminants, our lead is on the medical contaminants, on the bacterial contaminants, and

the virus and the mold. We take care of the preparation for and the treatment of the medical challenges that occur. It is a team effort. FEMA is the lead in all of this, but our role is to make certain that people are as protected as possible whether it is through vaccination, if we get an outbreak of something that can be protected by vaccination, whether it is through just the normal educational process of letting folks know what they need to be doing right now, especially in the area of mold.

Are you preparing for a vaccination need on something specific?

We are not only preparing, we are doing so as we speak. When you get large numbers of people in a shelter, then they are at risk of flu-like challenges, and so we began [flu] vaccination immediately upon individuals, that were at risk when they came into the shelter. We've been relatively fortunate, knock on wood, that we have not seen a significant contagious outbreak occur.

What about handling the public health risk of oil, gas, chemical plant runoff?

All of that, the water is tested by EPA, and for example, when they had the chemical plant that had a spontaneous combustion and had the fire, there was a evacuation for a mile and a half area, and what was tested with our observant was the air, to make certain that no noxious fumes were in that air, and there weren't thank goodness. All of that has been handled. But again the whole activity is coordinated by FEMA, and all of us work together to it so that we do as best we can with the situation.

You declared a public health emergency. How concerned are you about the escalation of that going forward? We've got more [hurricanes] coming. Actually I've been incredibly heartened by the response on the ground to Harvey. When I was down there last week I was really inspired by the neighbor helping neighbor and Texan helping Texan sense that you got. It really was all hands on deck. With the President's declaration of an emergency, with our public health emergency declaration prior to landfall, that was incredibly helpful in pre-deploying folks and getting people in the area or close to the area. We pre-deployed most of these people to Baton Rouge and to Dallas, and then were able to move them into the affected area, which is so large it is hard to get your arms around. 12 million individuals were affected by the storm itself. The geographic area is the size of land mass from New York to Boston, or two-thirds of the state of Florida. It is a massive land mass.

How do you understand the role of government in helping Texas, east Texas, Louisiana, dig out from this? All of these emergencies are directed by the local folks. The local cities and counties determine whether they can handle a situation, and when they can't, then they appeal to the state, and then the state to the federal government. So it is a whole logical arranged chain of responsibility that is set up. So when Texas tells us, or when Florida for example lets us know they are concerned about what is coming, then we begin to pre-deploy assets to make certain we are prepared to respond to whatever challenge might exist.

What specifically are you looking for in terms of funding from Congress?

The President has asked for \$7.8 billion in this first supplemental that will cover the initial costs. The needs go on for years. Whether it is in getting folks back in their homes, back in their businesses, back into schools, communities, this will be life-changing for many, many individuals in that area. Our goal is to respond in the acute phase, in the rescue and life-saving phase, and then work as best we can with the state and local folks to facilitate their ability to get back to normal as rapidly as possible.

Should Congress take up flood insurance funding? Does that need to be reformed?

Again, those aren't health issues. There are folks much more familiar with the flood insurance program and the issues that they raise so I will leave them to opine as to the flood insurance program.

In the past, you voted for the Katrina funding package and not for the Sandy funding package, how has this made you reconsider how funding from the federal government should work?

The responsibility that we have, the charge that we have, is to make certain that we are doing all that we can for the well-being, health and safety of the American people. In an emergency what that means is that we address the medical needs, the health care needs, the veterinary needs, and the challenges that exist from a mortuary standpoint. So all of those things that are our charge, we need to make certain that we are getting the kind of resources necessary to fulfill that responsibility.

What direction have you been getting from the White House directly about what they want you to be doing in this time? All of this is organized through FEMA. The President has given, again, incredible leadership, from an early declaration of emergency from Harvey, the first time a Presidential declaration from the Stafford Act was proclaimed prior to landfall, which again allowed us then to have the flexibility that we needed to begin moving those assets, along with the public health emergency that we declared. So I think again what the President has said, is he's got folks in place that he has confidence and trust and faith in, and allow them to move and do their job. Acting Secretary Elaine Duke at the Department of Homeland Security and Brock Long, who is the FEMA director, just incredible work that they've been doing, and it is just heartening to work with people with such dedication.

Applying for FEMA assistance.

KRIS-TV, Corpus Christi, TX

By Roland Rodriguez

September 7, 2017

The first thing you need to do to apply for federal assistance is visit disasterassistance.gov and complete an application or call 1-800-621-FEMA. You must make a claim within 60 days of your property damage.

FEMA has 10 days to respond to claims. If eligible, you will get assistance within 2-3 days.

Who is eligible for financial compensation?

"Our primary recovery efforts are for those who suffered any type of damages to their domicile, their residence, where they live. Whether you are a homeowner or a renter, we have a program here to help you recover from Hurricane Harvey," said FEMA Media Relations Specialist William Lindsey.

The next step is knowing what assistance is available for you.

"We have crisis counseling, we have litigation, how to deal with contractors to work with repairing your residence. There are a lot of programs we have. You have to plug in with us, and we will avail those recovery resources to you," said Lindsey.

To make things run smoothly, there are a few items you should bring when visiting one of the FEMA locations. "Proof of residency is very important. That is your driver's license, you may have a bill, telephone, gas, electrical, whatever happens to be. We need proof of identification and proof of residence," said Lindsey.

You will also need to bring your social security number, insurance information, and bank account number for direct deposit.

Financial Relief Underway for Black Homeowners and Entrepreneurs Recovering from Harvey

Black Enterprise Magazine By Jeffrey McKinney September 6, 2017

With Hurricane Harvey already projected to cost tens of billions of dollars in damages, it raises the question: Where can black small business owners and African American home owners in Texas turn to get some financial help to pay for sizable losses?

A Troubling Lack of Flood Insurance

Another big concern is how many people in Houston and surrounding areas hit by the storm actually have insurance for damages. At this point, there is no estimated number of flood insurance policy holders in Texas who will collect on their policies, Deanna Frazier, a Federal Emergency Management Agency spokeswoman, told Black Enterprise.

Robert Hunter, director of insurance at the Consumer Federation of America, has told the media that in the hurricane's path along the Gulf Coast, only two in 10 homeowners have insurance coverage. He estimates some \$35 billion of damage from just flooding caused by Harvey, paralleling Hurricane Katrina. However, roughly half of the flooded homes hit by Katrina had flood insurance coverage.

Some observers have estimated that Hurricane Harvey, in final damages, could exceed \$100 billion. FEMA estimates that about one in five households in Texas will be eligible to file a claim with the National Flood Insurance Program. As of Monday (Sept. 4), 73,000 claims have been submitted, and more than \$13.2 million in advance payments have been issued to insured survivors.

Tens of Thousands to Receive Disaster Assistance

Some 180,000 survivors have been approved for FEMA disaster assistance totaling \$148 million, allowing them to pay rent while their main homes are not livable, help repair primary living spaces such as kitchen and bedrooms and replace personal property like a car, eye glasses, or handle medical needs.

"We're helping people, but we still have 393,000 people who have registered and are awaiting assistance," Frazier says. "We are providing them temporary housing until a more permanent living situation can be found."

Frazier says the National Flood Insurance Program (NFIP) has about \$1.7 billion available to pay out claims with borrowing authority for \$5.8 billion more. The NFIP is a federal program managed by FEMA.

The Trump administration has asked Congress for \$7.85 billion as part of an initial request for funds for Harvey, with another request expected by late this month, CNN reported.

The official request occurred late last Friday in a letter from President Donald Trump's budget chief to House Speaker Paul Ryan. The initial amount requested for Harvey relief was higher than the \$5.95 billion figure administration officials voiced earlier in the day.

Inaugural Aid for Small Businesses Part of Funding Relief Request

Most of the initial request is expected to go to FEMA, which is using cash as the main agency handling disaster relief. The rest, about \$450 million, will go to the U.S. Small Business Administration. The SBA is offering low-interest recovery loans to homeowners, renters, and businesses. SBA's disaster assistance program budget is currently \$3.3 billion, according to Carol Chastang, a SBA spokeswoman.

The SBA has approved 298 disaster loans for a total of \$26.7 million. Of those, 279 home loans have been approved for \$25 million, and 19 business disaster loans have been approved for \$1.6 million, Chastang says.

Where to Get Assistance

Frazier says FEMA is urging people to register with the agency so they can get assistance as soon as possible. Survivors can submit claims through their local insurance agent who sold them their policy. Any homeowner who had flood insurance may file a claim with the NFIP.

All survivors are urged to register for FEMA assistance, regardless of whether they had insurance or not. Frazier says they can call 1-800-621-FEMA (3362) or register online at www.disasterassistance.gov.

The SBA has opened two business recovery centers; the BRC at the University of Houston and the Port Aransas Community Center.

For details on how to apply for SBA disaster loans, visit SBA's Hurricane Harvey recovery assistance page or go to the SBA's site.

Additionally, the Insurance Information Institute offers tips on how to square insurance claims after a disaster.

What are your rights as a renter if your property is flooded?

KTRK-TV, Houston By Kaitlin McCulley September 6, 2017

HOUSTON, Texas -- Days after floodwaters left her home in Kashmere Gardens, Elizabeth Crouts knows it's no place for her son with medical needs.

"There's mold in there," Crouts said. "My child is sick, and I'm not going to bring him back in there."

She said he is in the hospital now.

"I need a place to live so he can come home. He's fixing to come home and I don't have anywhere to put him," Crouts said. "I don't know what I'm going to do."

She said she has been spending nights at the hospital with him because she has nowhere else to go and that her landlord is demanding September's rent even though the unit has not been stripped of soaked sheetrock.

"They're wanting you to pay rent now, so when they get through gutting the houses, you can move back," Crouts said. "No, I don't have anywhere to go. I can't pay rent with no money."

Andy Teas with the Houston Apartment Association said his agency took more than 200 calls on Tuesday from apartment residents affected by Harvey.

According to Texas law, once a unit is deemed "totally unusable," either the tenant or the landlord can decide to terminate the lease at that time, he said.

Here's what you need to know if your rental unit suffered through Hurricane Harvey.

"I would think that if the unit was destroyed or if there were several feet of water, it's totally unusable," Teas said. "If it got a few inches of water, the carpet's been removed, the sheetrock's being cut, making sure it's being dried out, the unit still has working electricity, working plumbing, that's probably not totally unusable."

Flood waters can have devastating consequences on your rental apartment or home. Many of your rights and responsibilities, as well as those of landlords, are controlled by the laws of the state where the property is located. Additionally, your lease may have clauses specifically addressing water damage. Here's what to know about your rights as a renter if you have suffered water damage in your home.

According to TexasLawHelp.org, the law requires your landlord to repair conditions that affect the physical health and safety of ordinary tenants. After it's safe to return, you and your landlord must assess whether a home is habitable. Depending on where you live, local housing laws may hold landlords to higher repair standards. You may be able to terminate your lease depending on the initial terms and the extent of the damage.

However, if you are able to stay in the unit while repairs are being made, you must still pay rent. Landlords may wait till they receive money from property insurance claims to begin repairs.

Landlords are not responsible for loss or damage to your personal belongings. If you have renters insurance or flood insurance, it may cover property damage. If there is a disaster declaration, apply to the Federal Emergency Management Agency (FEMA) within 60 days of the declaration. Call 800.621.FEMA; go to the website, or go to a FEMA Disaster Assistance Center in your area.

Eyewitness News confirmed with Crouts' landlord that if she chooses to terminate her lease now, she will not owe any more money. A FEMA representative said he reviewed Crouts' claim and she will likely receive money for temporary housing.

RESOURCES:

Lone Star Legal Aid offers free legal service for people who can't afford attorneys.

Call Houston Apartment Association (713-595-0300) if you have questions about what your landlord is asking of you. The City of Houston's website has a section dedicated to tenant rights.

FEMA still focused on responding to Harvey with dwindling cash as Irma looms

Chicago Tribune

By Michael Biesecker and Andrew Taylor/Associated Press

September 6, 2017

Faced with the looming threat of dual disasters, the Federal Emergency Management Agency on Wednesday ramped up preparations for Hurricane Irma as it barreled toward the Florida coast even as the agency continued the massive recovery effort in storm-battered Texas.

It was a one-two punch of powerful storms certain to strain the agency's quickly dwindling coffers.

The roughly \$1 billion left in FEMA's Emergency Response Fund was expected to run out as soon as the end of the week, just as Category 5 Irma could be pounding Florida and less than two weeks after Hurricane Harvey caused massive flooding in Houston.

The House on Wednesday overwhelmingly passed \$7.9 billion in Harvey disaster relief as warring Republicans and Democrats united to help victims of that storm in Texas and Louisiana. The 419-3 vote sent the aid package — likely the first of several — to the Senate in hopes of getting the bill to the president before FEMA runs out of money.

Far more money will be needed once more complete estimates of Harvey's damage are in this fall. The storm's wrath could end up exceeding the \$110 billion federal cost of recovery from Hurricane Katrina in 2005.

That year was perhaps the last time FEMA faced as tough a test — when hurricanes Katrina and Rita struck within weeks of each other. The agency's widely criticized response to the then-unprecedented flooding in New Orleans became a major embarrassment for the Bush administration. Despite years of post-recession funding cuts during the Obama administration, FEMA's leaders worked to streamline and consolidate operations, cutting costs while maintaining staffing levels.

Still, top officials tried to offer reassurance on Wednesday.

"We're not going to let money get in the way of saving lives," FEMA administrator Brock Long said Wednesday on "CBS This Morning." Brock said his confidence was high that the agency could handle Irma.

"Despite everything that's going on, this is what we train for. We have catastrophic plans. Obviously after Irma, staffing patterns could be strained," he said.

Hurricane Irma

Hurricane Irma, the most powerful Atlantic Ocean hurricane in recorded history, made its first landfall in the islands of the northeast Caribbean early Wednesday, roaring along a path pointing to Puerto Rico, the Dominican Republic, Haiti and Cuba before possibly heading for Florida over the weekend.

Top officials responsible for responding to large-scale public emergencies meet regularly to conduct drills and update plans covering numerous worst-case scenarios. That includes what to do if two massive hurricanes strike the U.S. mainland within days, 1,000 miles apart.

As of Wednesday, more than 100 FEMA personnel have already been deployed to Florida, where they will coordinate on the ground with the state's emergency management officials. FEMA regional assistance teams were also sent to Puerto Rico and the U.S. Virgin Islands.

"Our staffing levels are coming up," Long said. "We have over 700 people right now pre-positioned to support our partners."

FEMA maintains large stores of food, bottled water, medical supplies, cots and blankets, pre-packed and strategically placed at locations throughout the United States and its territories. Those supplies were being pre-staged on semi-trucks, where they can be driven into the disaster zone after the storm passes.

To help speed delivery of emergency supplies after a storm, the U.S. government as part of the disaster-declaration process routinely exempts commercial truck drivers in the region from federal rules, including ones limiting how many consecutive hours they can safely drive.

The preparations were being made even as FEMA continued to respond in Texas. So far, FEMA has approved \$148 million in aid for more than 180,000 survivors of Harvey, finding more than 50,000 hotel and motel rooms for survivors.

Tom Bossert, President Donald Trump's homeland security adviser, said the federal government won't forget Harvey's victims as attention shifted toward the threat from Irma, a Category 5 storm with 185-mph sustained winds — the strongest ever observed in the open Atlantic.

He said the federal response in Texas was entering a recovery phase that will be long and, at times, frustrating for affected homeowners. The U.S. government was marshaling Small Business Administration loans, disaster unemployment assistance from the Labor Department and FEMA reconstruction aid to rebuild state and municipal infrastructure. Latest hurricane forecast tracking map

"I won't forget Harvey," Bossert said, as he rushed to join a phone call between Trump and Florida Gov. Rick Scott. "Now, it is a long game that requires a lot of attention to detail."

Speaking at an event in North Dakota on Wednesday, Trump said the emergency personnel now redeploying from Texas to Florida could use some rest, but likely won't get much.

"They're really now again in harm's way," Trump said. "Together we will recover and we will rebuild."

Associated Press writers Deb Riechmann and Darlene Superville contributed to this report. Copyright © 2017, Chicago Tribune

Florida Residents Receive Mixed Messages About Hurricane Irma Evacuations

CBS News

September 6, 2017

KEY LARGO, Fla. – Florida visitors and residents are receiving mixed messages about evacuating ahead of Hurricane Irma.

Broward County has ordered coastal evacuations, mandatory but with no enforcement, as is typical in Florida. Miami Beach has advised evacuating, but not made it mandatory for all areas.

Mayor Carlos Gimenez issued mandatory evacuation orders Wednesday night for two zones, A and B, and the Barrier Islands in Miami-Dade County. Officials encouraged tourists to leave.

Florida Gov. Rick Scott said anyone who intends to evacuate should "get out now."

However, with a storm track forecast up the middle of the state, it is unclear to many people where they should go. In the Florida Keys, an island chain linked to the mainland only by one highway, visitors were instructed to leave Wednesday, and residents were ordered to leave starting Wednesday night.

Scott urged people to move quickly if they plan on evacuating, calling Irma a "life-threatening storm."

"Do not sit and wait for this storm to come," Scott said Wednesday. "Get out now."

But meanwhile, Dade County Mayor Carlos Gimenez said, "The storm's slowing down, giving us a little more time." Late Wednesday, Mayor Gimenez issued mandatory evacuation for zones A and B and the barrier islands. A map of evacuation zones can be downloaded here.

Former FEMA administrator Craig Fugate, who also led Florida's emergency management division during the 2004 and 2005 hurricane seasons, said the mixed messages and public confusion over whether to leave now or later is why everyone living on a coast should have an emergency plan and use it, well before it becomes too late.

"We know traffic is going to be horrendous," Fugate said. "The bigger problem is the people who wait."

Residents of the Florida Keys are known for riding out hurricanes, but with Irma's potentially catastrophic wind and rain set to crash through the low-lying island chain this weekend, not many seem willing to risk it this time.

Throughout Florida, officials and residents are making preparations, but forecasts indicate the Keys could take the country's first blow from the Category 5 storm. From Key Largo south to Key West, residents and officials said Irma is a storm that needs to be fled.

Keys officials announced a mandatory evacuation Wednesday for visitors, with residents being told to leave the next day. Scott, who plans to fly to the Keys on Wednesday, said a hospital in the island chain would have its patients evacuated by air.

"This is not one to fool around with," said Cammy Clark, spokeswoman for Monroe County, which contains the Keys. In a Wednesday morning tweet, President Trump said his administration is closely watching Irma and his "team, which has done, and is doing, such a good job in Texas, is already in Florida." He added: "No rest for the weary!" Janet Roberts, 51, was getting ready Tuesday to leave her mobile home community on Key Largo for her daughter's

house 30 miles away in Florida City, which is the first city north of the Keys on the mainland.

"She lives in a complex and has hurricane shutters. At least we stand half the chance," she said.

She remembered how much damage Hurricane Andrew caused when its eye passed just north of Florida City in August 1992.

"We didn't hit the eye, and I had nothing left," Roberts said. "This has Andrew beat. This is really bad – really, really, really bad."

Throughout South Florida, officials readied evacuation orders and people raided store shelves, buying up water and other hurricane supplies. Long lines formed at gas stations and people pulled shutters out of storage and put up plywood to protect their homes and businesses.

Parker Eastin filled up his gas tank at a busy fuel station. He and his girlfriend said they decided to plan well in advance after seeing what Hurricane Harvey did to Texas.

"We ordered water off Amazon because the stores were out and also ordered food," said Eastin, a 43-year-old lawyer who has lived in Florida for 12 years. "Seeing the devastation in Texas is a sad reminder that you have to take the events very seriously."

The last major storm to hit Florida was 2005's Wilma, its eye cutting through the state's southern third as it packed winds of 120 mph. Five people died.

Scott declared a state of emergency in all 67 counties to give local governments "ample time, resources and flexibility" to prepare for the storm. Mr. Trump also approved a federal emergency declaration for the state ahead of the storm, according to the Federal Emergency Management Agency.

Scott warned that although officials don't know the storm's exact path, winds are likely to be "extreme and life-threatening" and impacts could be felt inland, away from the coast. He said Floridians need to follow any evacuation orders, and to "remember: We can rebuild your home; we cannot rebuild your life."

Gov. Henry McMaster declared a state of emergency in South Carolina for Hurricane Irma on Wednesday after the official forecasts for the storm shifted east, raising the chances of the first major hurricane strike for the state in almost 28 years. The declaration allows the state to begin certain preparations for an emergency and allows McMaster to use the National Guard if necessary.

"We got this," McMaster said Wednesday at an previously scheduled summit on the opioid problem. "We can't stop the hurricane. If it comes, it's going to be here, but we can be ready for it."

The last major hurricane to hit South Carolina was Hugo in September 1989 which came ashore just north of Charleston with winds of 135 mph.

Under a mandatory evacuation order, no one is forced by police or other government agencies to leave, but people who stay should not expect to be rescued if they are in danger, officials said.

The threat of the storm has put much of Florida on edge. School districts along the east coast and in South Florida canceled classes for later this week, as did universities and colleges in Miami-Dade. The governor also shut down all state offices starting Friday and urged state workers to volunteer at shelters that are expected to open.

As of 2 p.m. Wednesday, the center of Hurricane Irma was located about 20 miles east-southeast of St. Thomas in the U.S. Virgin Islands, located about about 90 miles east of San Juan, Puerto Rico, according to the National Hurricane Center. The storm was heading west-northwest at 16 mph with maximum winds of 185 mph.

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The Biggest Question For Hurricane Survivors Is 'What Now?'

CNN

By AJ Willingham

September 6, 2017

Rebuilding is not a glamorous process, and it's far from an easy one. Though Hurricane Harvey has passed, the road ahead for survivors will take years to traverse, with innumerable questions and challenges along the way.

The only way to really know what this journey is like is to hear about it from others who have made it through a similar catastrophe.

Ron Magill is a wildlife expert, communications director and goodwill ambassador of Zoo Miami. He and the majority of the zoo's animals survived Hurricane Andrew in 1992.

Colette Bennett is a writer and New Orleans-area native who was living in the city when Hurricane Katrina struck in 2005.

Their stories can provide a road map for those rebuilding after Hurricane Harvey, from the big-picture basics that need immediate solutions to the long-term emotional tests they will face.

Where will I live?

This is the first and most crucial question of a hurricane survivor's journey: Return home, or go somewhere else? The lucky will be able to live in their own houses. But Harvey's destruction affected an estimated 100,000 homes. Water damage, mold and contamination could render many of them unlivable for months.

For the tens of thousands of survivors in south Texas who can't go home yet and can't stay with family or friends, the next few months may be spent adrift: in FEMA shelters, in temporary housing or in motels.

Even if a house is still standing and the neighborhood is safe, there's no guarantee survivors will have access immediately to the basic comforts of home. Houses could be without running water, or without water that's safe to drink.

When Hurricane Andrew hit, Ron Magill's Miami house was mostly spared. But he had no electricity for almost two weeks. Magill used a generator to keep the fridge going, as well as a fan for his wife, who was nine months pregnant in the late summer heat.

"Andrew was a great equalizer," he says. "If you lived in a \$200,000 home or a \$50,000 home, it didn't matter. You still didn't have power. Everybody needed water, everybody needed the same things, so the overwhelming majority of people came together to help each other."

But Andrew was a dry storm – swift and furious, with most of the damage owing to intense winds. It wasn't the slow, sodden slog of Katrina or Harvey.

Do I even want to rebuild here?

In the days before Katrina hit, Colette Bennett packed a duffel bag and evacuated New Orleans to Houston with some friends. They all thought they'd be gone just a few days.

Then, their hosts flipped on the TV.

"You all better come here," they said.

Levees across the region had crumbled.

"I don't remember the images but the words," Bennett recalled. "I remember them saying the mayor had declared the city closed. They didn't know when it would reopen."

"So in that moment," she said, "we all basically became homeless."

Bennett would learn later her mother and grandmother had to be airlifted out of the hotel where they had gone to escape the storm. It took months for the pair to get back to their home in Chalmette, Louisiana.

Bennett chose a different path. She was in her 20s and didn't own a home. "FEMA gave \$2,000 to each of us to get our lives restarted," she said. With \$8,000 among them, she and three friends drove to California and rented a house.

She didn't return to New Orleans for four years.

How am I going to fix everything that's broken?

After basic safety and living situations are set, it's time to start picking up the pieces – literally.

Barely a week after the worst of Harvey's rains swamped Houston, residents already were busy stripping soaked drywall and ripping up laminate floors, salvaging what they could and hauling the rest to the curb.

After natural disasters, piles of debris are an inevitable hallmark.

Things were especially bad after Andrew's winds scattered everything in sight. "There were no trees, no fences," Magill said.

At the local airport, he said, "there were airplanes wrapped around trees like tissue paper."

"It's just unbelievable to see that kind of power."

Residents jokingly named the mountains of trash "Mount Trashmore."

It can take weeks – months, even – and tens of millions of dollars to clear it all out.

How am I going to pay for this?

Standing in an empty house as its useless guts bake on the front lawn, Harvey survivors will undoubtedly ask themselves, time and time again, "Who is going to pay for all this?"

One of the first pieces of advice financial experts give natural disaster survivors is to contact insurance companies and prepare claims as soon as possible. Homeowner's insurance, flood insurance, FEMA claims – all of them require documentation. Even if important papers have been lost to the flood, calling insurance companies and giving them relevant information can at least get the ball rolling.

Bennett's family home in Chalmette was below sea level. After the storm, it was completely submerged. The house had to be demolished.

"(FEMA) gave my grandmother money to rebuild," Bennett said. "She did not use it and put it in a savings (account). After five years, FEMA called and asked how much she had left. When she told them she had it all, FEMA gave her more and said, 'Please build it.' So she got a brand new house."

Where will my kids go to school?

Eventually the expectations of every day life come calling. People have to go to work, children have to go back to school – but where?

Storm survivors may find themselves out of work – temporarily or not – and forced to dip into savings intended for other priorities, like a child's education.

Students affected by Harvey will report to classes this month, many in temporary classrooms as most of the Houston Independent School District's 300 schools remain inaccessible.

After Katrina, an estimated 372,000 students in kindergarten through 12th grade had to be relocated.

When will I be done rebuilding?

Rebuilding is more than fixing houses and shoring up neighborhoods. Routine parts of life suddenly become logistical puzzles. How, for example, will survivors get around if their vehicles were damaged? In Houston, 94% of residents own a car and the city is known for its intense commutes.

The math is not pretty, and solving it is just one more roadblock on the path to normalcy. Weeks can stretch into years before it all falls into place.

After Andrew, the storm-damaged Zoo Miami and its staff and animals became media sensations. People sent hundreds of thousands of dollars in donations. Along with that came truckloads and private planes full of food, ice and supplies that Magill and his staff eventually shared with other survivors in need.

Despite – and perhaps a bit because of – the overwhelming support, the zoo felt pressure to reopen as quickly as possible. "Everyone was so caught up in the recovery and the rebuilding," Magill said. Yet when it did reopen, a mere four months after Andrew struck, "it was a shell of what it once was."

Over the years, the zoo returned to and arguably surpassed its former glory. But it became a perfect example of how, despite copious amounts of support, donations, wishes and prayers, rebuilding can't be rushed.

Will things ever be the same?

As things fall into place, Harvey survivors may wonder why it doesn't all feel normal again.

Ask anyone whose lives have been touched by such a disaster, and they'll tell you "normal" isn't exactly the right word. "Nothing really gets back to normal," Magill said.

While he and his wife still live in the same house where they sheltered from Andrew's gales, it now has reinforced windows and a healthy stock of emergency supplies. He keeps a land-based telephone line and bought his mother a generator for extra safety.

It's not fear, Magill said. That's not how the people of South Florida – or New Orleans or Houston – do things. It's more of a heightened sense of preparedness, of knowing that the worst really is possible.

Cities, too, bear permanent scars.

When Bennett moved back to New Orleans four years after Katrina, it was a shock.

"The street I grew up on was hard to recognize because huge trees were torn down and houses were bulldozed or in shambles. Entire strip malls, huge buildings were gone. Many people did not return," she said. "It had a gutted feeling." Twelve years after the storm, Bennett said that while her mother found the hope to process her grief, her grandmother still suffers from post-traumatic stress and anxiety and has found it hard to move on.

Magill feels for the people of Houston, he said, but he knows recovery is possible.

"We thought there was no way we would ever recover from that hurricane," he said. "But you'd be surprised at what you can do when you're faced with doing it."

CNN's Michelle Krupa contributed to this story.

Flood Recovery

Survivors Ask FEMA For Answers In Angleton

The Brazosport (TX) Facts,

By Sam Liebl

September 6, 2017

ANGLETON — Flooding survivors played musical chairs with no music Wednesday while waiting for their turns to speak with Federal Emergency Management Agency workers.

They filled two dozen chairs in a hallway at Most Holy Trinity Catholic Church. When FEMA representatives stationed in rooms typically used for Sunday school called for the next person to be interviewed, survivors would move to the next chair to the right, a waiting process that took Shady Acres resident Julio Nunez an hour.

Some in the hallway were waiting to go through FEMA's intake process, but Nunez was there to get answers.

Nunez registered with the agency days ago, and at first FEMA was responsive and helped him to find housing outside Dallas. With water still in his house, he hoped the agency could tell him how he could receive assistance going forward, he said.

Marina Muñoz waited in the hallway to get answers, too. Her 1-month-old son, Julian Beachner, snuggled against her chest while her 1-year-old son, JJ Beachner, wiggled in his grandmother's arms and crawled on the floor.

Both JJ and Julian had upper respiratory infections, and she had taken them to a doctor. The doctor told her she should set up a dehumidifier in their home.

"I replied that we had no home," she said.

Muñoz's house near the San Bernard River had chest-deep water in it, she said, yet FEMA denied her request for assistance. She waited in line to ask what she could do to change that decision, she said.

Muñoz took only two sets of clothes for her and her sons when she fled the flood and nearly ran out of diapers for Julian on Tuesday. Though she has a place to stay with family, she said she does not know what her more long-term housing situation will be.

The agency will continue to register people for disaster assistance at Most Holy Trinity Catholic Church, 1713 N. Tinsley St., through Friday, said FEMA crew leader Kimberly, who declined to give her last name.

Kimberly said the agency had Spanish-speaking representatives available at the church. Those seeking assistance should bring insurance information, have their Social Security numbers ready and have personal checking account information to set up direct deposit.

The most common reasons FEMA issues letters of denial are missing documentation, failure to include information about flood insurance claims and omitting information about U.S. Small Business Association relief loans, said Bob Howard, a FEMA media relations employee stationed in Austin.

Howard said the letters of denial should be seen as the beginning rather than the end of the conversation with FEMA, and denials can be reversed when issues with applications are resolved.

Representatives of the federal agency are scheduled to be available today at the Brazoria County Dream Center, 796 Brazosport Blvd. in Clute, and Freeport Recreation Center, 803 N. Front St. in Freeport.

Anyone seeking aid should register at disasterassistance gov or call 800-621-FEMA.

What FEMA Says You Need To Know About Receiving Emergency Assistance

KFDM-TV Beaumont (TX)

September 6, 2017

Tiffany Murphy interviewed a FEMA representative about what you need to know as you seek emergency assistance following Hurricane/Tropical Storm Harvey.

Volunteers/Donations/Charities

Somers Man Helps Hurricane Harvey Relief Efforts in Texas

Somers Record, Somers, NY By Brain Marschhauser September 6, 2017

HOUSTON, Texas – With tens of thousands of Texans displaced by flooding caused by Hurricane Harvey, the Federal Emergency Management Agency (FEMA) requested citizen volunteers throughout the nation to help with recovery efforts. Somers resident Ricky Mancini and Yorktown resident Michael Ottomanelli were quick to answer the call.

On Tuesday, Aug. 29, Mancini and Ottomanelli arrived in Texas just outside of San Antonio. They were embedded with the Army National Guard, a K-9 search and rescue team, and U.S. Marine units to help with recovery efforts.

"We came down here on our own dime in an effort to help as many people and animals as we could," Mancini wrote on Facebook. "We have been on search boats with dogs, been into neighborhoods that were covered in 10 feet of water, jumped onto rooftops, aided in asset procurement for survivors, and had the pleasure of meeting some of the kindest and most welcoming families in the heart of some of the worst destruction ever seen in this country."

Seeing the flooding on news reports did not do justice "to the enormity of the devastation," Mancini said. Driving three hours from one destination to the next, he would often see nothing but homes and cars destroyed, thousands of stranded livestock, and people helping people.

Mancini said he was particularly struck by a family who all lived in separate houses on the same road: mom, dad, aunts, uncles, sisters, brothers, kids and grandkids. The three generations of family members "lost everything" except the clothes on their backs, Mancini said.

Mancini said he plans to keep close contact with the family and raise all the funds all he can to help them get back on their feet. A collection drive has been started at paypal.me/collectfunds.

"This isn't going to an organization that takes out operating costs, or distributes to centers," Mancini said. "This money will be going directly into the hands of a family who has lost both their homes, and the legacy that they've built over the course of three generations."

Mancini said the money will allow the family to purchase items many people take for granted: clothing, food, and water.

"They have a long road ahead of them, and will never again return to the normalcy they've known," he said.

The two men returned home Sunday, Sept. 3. Mancini called his Texas visit "one of the most humbling experiences I've ever had."

"The people of the greater Houston area were some of the kindest and thankful people I've ever encountered," he wrote on Instagram. "I will take with me everything that these people taught me for the rest of my life. Stay strong, Houstonians. We're all with you.

Local businessman leads the effort in helping Hurricane Harvey victims

Silver City Sun News, New Mexico By Danny Udero September 6, 2017

SILVER CITY — As Hurricane Harvey was rapidly approaching the coast of Texas, Grant County citizens sat in the comfort of their own homes, prone to nothing more than a few gas hike prices and maybe some grocery items increasing in the stores a few days later. But, for one person, sitting at home watching the aftermath the Category 4 hurricane left behind after it made landfall in Texas, was too much to handle.

"Honestly, we have seen a lot of tragedy in America and as I sat there and saw the news of babies getting swept away and people losing their home, I got my inspiration," Southern Sky Landscaping owner Jeramie Carrillo said. "I saw that people were still trapped in their homes and I knew they were going to be hungry and I felt like if we could help we have a responsibility to do so."

Carrillo quickly went into action and utilized social media along with other owners of businesses to spread the word about helping. He hooked up his dump trailer to his diesel pickup and told people to spread the word that he would be in the parking lot of Walmart accepting donations to take to Texas.

"Jared Lackey of Nichols Welding jumped on board with me as did the guys at City Cuts," Carrillo said. "In just a few days we had received thousands of items. People came from all over Grant County... Cliff, Buckhorn, Mimbres, all around Silver. A couple even came from Belen to bring some stuff. Runyon Construction, Chavez Construction and Foxworth donated a pellet of water each."

Several people of Grant County came together to help

Carrillo said the task became overwhelming and he had to take a few days off of work to be able to accomplish all the running around and getting the different items people were willing to donate. When it was all said and done, Carrillo and company had accumulated 13,230 pounds of donated items that went from food to water, toys and diapers.

"There was a lot of stuff," Carrillo said. "We (his nephew Vincent and him) took off last Thursday and drove to Lubbock, Texas. There we stopped at the Southern Plains Food Bank. They have a campaign going on and they are making boxes with a bunch of items. They will be giving them to victims in the Corpus Christi area."

Carrillo said they were met with smiling faces and tons of gratitude.

"They were in disbelief and welcomed us with open arms," Carrillo said. "They were really grateful that we came all the way down there with all of our stuff."

Carrillo said that there is still a storage container full of stuff that didn't fit on his truck and trailer. He is waiting to see what Hurricane Irma does when it makes landfall in the U.S. and more than likely he will make a trip to Florida to go and distribute the rest of the items.

"I'm really grateful that everyone was able to come together in a time of so much hatefulness going around," Carrillo said. "We are all Americans and we love one another. We proved that as we came together. The hate that is going around is a small percentage here in America."

Hurricane Harvey was the first major hurricane to make landfall in the U.S. since Wilma in 2005. It ended a record 12-year period with no major hurricanes making landfall in the U.S. During the four-day period of Harvey, more than 40 inches of rain fell over Eastern Texas. Harvey became the wettest tropical cyclone on record in the U.S. It displaced more than 30,000 people and prompted more than 17,000 rescues.

FEMA director Brock Long called Harvey the worst disaster in Texas history. Economic losses are estimated between \$70 to \$190 billion and there are at least 66 confirmed deaths. Houston remained to be the most impacted area.

FEMA Conversation

Public conversation:

- Conversations about the churches in Houston suing FEMA for disaster assistance continue today among the non-affected population, with no change in the mix of commentary. Most people are still expressing politically-charged opinions about whether or not religious institutions should receive federal assistance. (Example 1, Example 2)
- FEMA conversations have been steadily increasing throughout the day, as more residents share their personal experiences with applying for FEMA aid. There is an increasing amount of frustration as people ask why they or their loved ones were denied assistance. Many of these discussions are taking place outside of the main FEMA official accounts, as people turn to community groups and local media pages to share information with each other. (Example 1, Example 2) Top topics include:
 - o Unable to reach a representative on the phone, busy lines
 - o Wondering when approved funds will be sent to bank accounts
 - o Frustration over denials
- A <u>local news station in Beaumont</u> solicited stories from residents about getting denied for FEMA assistance. This
 drew over 300 comments in response, with many details about denials and issues trying to apply for assistance.
- In affected areas, there have been mentions of FEMA inspectors making the rounds in neighborhoods. (<u>Example 1</u>, <u>Example 2</u>)

FEMA content:

- We have continued to respond to as many inquiries as possible on our official accounts.
 - There has been a small increase of people <u>being relieved</u> that they finally reached a FEMA representative or received assistance.

Operations

Animals/Agriculture:

- As of 1106 ET, <u>Aransas County</u> officials are reporting citizens should exercise caution because feral hogs have moved into some neighborhoods.
- Throughout today, there have been occasional reports of dead farm animals; the Texas Animal Health Commission is circulating information about proper large-animal disposal. The TAHC also continues to help

distribute feed (even via helicopter) and help ranchers round up displaced livestock. (Example 1, Example 2, Example 3)

Damage:

As of 1316 ET, some properties are still underwater in the Bevil Oaks community. (Example 1, Example 2)

Recovery:

- The city of Rockport is <u>establishing a website</u> to track performance and complaints made against/for contractors.
- As with the past couple days, communities continue to post information about when debris will be picked up.
 - As of 1032 ET debris will be picked up in Port Neches community starting tomorrow.

Public Health:

- There has been a steady stream of questions regarding the best way to clean up or prevent mold and where to
 obtain cleaning supplies. Local public health officials, however, are trying to assist by communicating preventive
 measures homeowners can take. Others are concerned that their landlords are not properly treating their
 apartments. Many people are urging others to use hydrogen peroxide and vinegar instead of bleach, while
 others are sharing links to specific commercial cleaning products. (Example 1, Example 2, Example 3)
- As of 1103 ET, a <u>Mobile Medical Unit and Mobile Vet Center</u> are now open at the Beaumont VA Outpatient Clinic to serve Veterans.
- As of 1723 ET, Victoria OEM reported that the boil water notice for Victoria is lifted.

Transportation:

- This afternoon, <u>Texas Department of Transportation</u> continued to implore residents to monitor road conditions because some do remain flooded. Including <u>Rainbow Bridge</u>, and some roads in and around <u>Orange</u>.
- As of 1151 ET Rental car availability continues to be a problem across the impacted region.
- Roadways around Houston continue to be toll free until further notice.

Public Safety:

Mass Care:

- Over 7,500 Harvey evacuees stayed in <u>Texas State Parks</u>, which waived entry fees to those fleeing the storm. Although some people have left the park systems, quite a few remain. Park Superintendents are providing assistance by coordinating volunteer groups and helping with the basic needs.
- As of 0926 ET, the City of Dallas reports 3,480 evacuees remain in their mega shelter.
- There are continued sporadic requests from individual families for housing assistance (specifically low income) in areas such as Aransas Pass that are being addressed by members of the community. (Example 1, Example 2)

Energy:

- As of 1011 ET, the <u>Texas Railroad Commissioner</u> issued a statement regarding the gas situation, noting that several refineries have restarted while a few remain closed. Pipeline infrastructure is reportedly operational again.
- As of 1332 ET, power has been restored to a large area of <u>Rockport</u>.

Critical Infrastructure:

- As of 1344 ET, several reporters from local media were sharing that residents of Westside Houston have been asked by the Mayor to limit water usage. Even though the water is currently safe to drink, the storm-damaged water treatment plants need repairs. (Example 1, Example 2)
- As of 1205 ET efforts are underway by Houston Independent School District (ISD) to identify displaced students (about 7,000); and they are working to ensure emotional support is available. The District, however, is also in recovery mode and continues to ask for volunteers, such as IT specialists. (Example 1, Example 2)

- Humble ISD will be providing free meals to all students through September 30th. Other districts are
 assessing the impact to their student population. For instance, Katy ISD reports that over 15,000
 students were directly impacted by the storm. Many people are asking how to donate or are organizing
 efforts to donate school supplies to students impacted by the storm.
- As of 1413 ET, the <u>Texas Education Agency</u> has established a hotline for Corpus Christi parents. Facilities in three Aransas County School districts (Aransas County ISD, Aransas Pass ISD, and Port Aransas) were heavily damaged and will not open "for some time."

Public Perception

- Conversations about volunteering and updates on progress made in affected areas are being shared at a high level today. Resources continue to arrive from across the country. For instance, the <u>Arlington Police Department</u> posted they are sending a shipment of supplies to the Houston PD. (<u>Example 1</u>, <u>Example 2</u>, <u>Example 3</u>)
 - There continue to be requests for volunteers to clean up the smaller cities, such as Katy and Dickinson. (<u>Example 1</u>, <u>Example 2</u>) Most are <u>being directed</u> to multiple organizations and resources which match volunteers with people who need help.
- People outside the affected area continue to steadily share articles about the flood insurance program along
 with commentary. Some people want the flood insurance program to end while others want the program to be
 reauthorized. A <u>petition is circulating</u> online for people to sign in support of telling Congress to reauthorize the
 current version of the program.
- There's a large conversation unfolding from news that \$8 billion in relief was approved for Hurricane Harvey. Most people are responding positively to the news and sharing that they are grateful for the bipartisan nature of the bill passing, while many others are questioning how more money can be made available for disaster relief needs across Texas and areas threatened by Irma. (Example 1, Example 2)
- There is an underlying concern from residents about who to trust in the recovery process, especially as they receive messages from people claiming to be inspectors or contractors working on Harvey-affected homes. This is matched with an increasing amount of sources providing information about avoiding scams and what prices homeowners should expect to pay vs what is exorbitant. (Example 1, Example 2)

Rumors/Misinformation

• There have been no significant rumors/misinformation since the last report.

Message

From: Graham, Amy [graham.amy@epa.gov]

Sent: 9/6/2017 5:54:17 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: FW: Arkema/Superfund monitoring test results

What's the plan here?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, September 6, 2017 1:47 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>

Subject: RE: Arkema/Superfund monitoring test results

Liz,

Asking once again for EPA to either release all air-monitoring data collected during the Arkema fire, or provide an on-the-record response as to why those results are not being made available.

Under section 114(c) of the Clean Air Act, this emissions data for the facility is clearly a public record. If EPA would like to share an alternate legal interpretation of how these records can be withheld, please share that.

AP will be writing a story about this issue in the near future, whether EPA chooses to release the records or not.

Thanks in advance,

Michael

From: Biesecker, Michael

Sent: Tuesday, September 05, 2017 12:42 PM

To: Liz Bowman **Cc:** Press

Subject: Arkema/Superfund monitoring test results

Liz,

Still hoping to get these today. Is there an ETA on when they will be released? Alternatively, on-the-record comment on why they won't?

Thanks,

Michael

From: Biesecker, Michael

Sent: Monday, September 04, 2017 8:16 PM

To: Liz Bowman **Cc:** Press

Subject: Fwd: HOUSTON AREA SUPERFUND SITES OPENED TO NEWS OUTLETS TODAY

Liz,

I've checked with my editors, and, as we've expressed to you in the past, The Associated Press is not inclined to report on events to which we were not provided access. If there are future events in which you wish to include us in, we will consider those.

We would, of course, be interested in the results of the air and water sampling from Houston-area Superfund sites described in your release, especially since EPA says those will be made public at a later time in the interests of transparency.

We reiterate our earlier request for the test results from air sampling conducted during the Arkema plant fire. There is significant public interest in those results, and AP would argue that those, too, should be released as soon as possible.

In the meantime, AP will continue to report on the issue, and we will appropriately note your response, or lack thereof, in what we publish.

Hope you had a great holiday weekend,

Michael

Begin forwarded message:

From: EPA Press Office press@epa.gov>
Date: September 4, 2017 at 3:26:20 PM PDT

To:

Subject: HOUSTON AREA SUPERFUND SITES OPENED TO NEWS OUTLETS

TODAY

Reply-To: press@epa.gov>

CONTACT: press@epa.gov

HOUSTON AREA SUPERFUND SITES OPENED TO NEWS OUTLETS TODAY;

TCEQ/EPA UPDATED LOCAL, NATIONAL LEADERS ON HEALTH, ENVIRONMENTAL EFFECTS OF HARVEY

DALLAS (September 4, 2017) - ABC, CBS, CNBC, CNN, & Bloomberg news crews joined TCEQ and EPA technical staff on site at Superfund sites around Houston today. The TV crews, following all health and safety requirements of site managers, shadowed the work of TCEQ and EPA technical experts on the ground at three Superfund sites: U.S. Oil

Recovery, Highlands Acid Pits and the San Jacinto Waste Pits.

Crews were able to take videos, photographs and talk directly with technical staff and subject matter experts on the ground. Boats were on the water determining impacts at the temporary armored cap in the San Jacinto River, to provide access to the crews.

"The TCEQ is working closely with the EPA and local officials to assess the status of Superfund sites in the affected area. We will continue this as sites are safely accessible," said TCEQ Chairman Bryan Shaw.

"We are working directly with those responsible for the on-going cleanup of Superfund sites to ensure that we have the most up-to-date information about health and environmental risks to the community from the effects of hurricane Harvey, especially at Superfund sites affected by the storm," said EPA Region 6 Acting Regional Administrator Sam Coleman.

In addition to taking news crews on site today, EPA Acting Regional Administrator Sam Coleman and TCEQ Chairman Bryan Shaw provided an update of their joint efforts to assess the health and environmental impacts of Hurricane Harvey to a local, state and federal officials. The discussion with local officials included: Harris County Judge Ed Emmett, Executive Director of the Harris County Flood Control District (HCFCD) Russ Poppe, Harris County Engineer and Director of Public Infrastructure John Blount and Dr. Umair Shah from the Harris County Public Health Department.

National participants included: officials and experts from the Federal Emergency Management Agency (FEMA), the U.S. Army Corps of Engineers (USACE) and the United States Department of Housing and Urban Development (HUD). Together, they provided updates to and answered questions from U.S. Senator John Cornyn, U.S. House of Representative Majority Leader Kevin McCarthy, U.S. Congressman Randy Weber and other government officials at the Harris County Emergency Operations Center in Houston.

Additionally, Houston Mayor Sylvester Turner and the city's leaders were briefed by EPA and TCEQ senior leadership on multiple issues, including the status of the Superfund sites in and around the Houston area.

As of Sunday, September 3rd, EPA staff was imbedded in Mayor Turner's office to provide continued communication among local, state and federal officials. EPA and TCEQ remain in constant communication with Governor Abbott's office.

In addition, TCEQ and EPA toxicologists and technical experts are on the ground and in the air collecting real-time air monitoring and water quality data. That information is being analyzed by experts now and will be provided to the public as soon as it is

available. We encourage the community to continue to follow the expert safety advice of local officials
EPA Region 6 Acting Regional Administrator Sam Coleman updates the media on EPA response to Superfund sites affected by Hurricane Harvey
Briefing with local, state and national leaders in Houston
TCEQ Chairman Bryan Shaw meets with U.S. Senator John Cornyn at the Harris Co. Emergency Operations Center.
TCEQ Chairman Bryan Shaw and EPA Acting Regional Administrator for Region 6 Sam Coleman address the media at the San Jacinto Superfund site.
Misikatha kapats Newsmoon

U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004

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ommunication is strictly prohibited. If you have received this communication in error, please notify The associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.	

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 9/6/2017 1:36:23 PM

To: Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]

Subject: FW: Associated Press Request -- Superfund

From: Wilcox, Jahan

Sent: Tuesday, September 5, 2017 7:28 PM

To: 'Wemple, Erik' <Erik.Wemple@washpost.com> **Subject:** FW: Associated Press Request -- Superfund

On background – EPA official for everything below – what you will see from this email chain is that they had boats in the water on Wednesday, August 30 by 1:06 PM CT -- which is the day the storm left Houston.

It was also the night of that chemical explosion and we had a team monitoring that along with every outlet asking questions.

There are more media outlets than the Associated Press and it takes time to track down all of these answers.

From: Graham, Amy

Sent: Tuesday, September 5, 2017 7:11 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: Fwd: Associated Press Request -- Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" < graham.amy@epa.gov

Date: August 30, 2017 at 5:59:12 PM EDT

To: "Biesecker, Michael" < MBiesecker@ap.org

Subject: RE: Associated Press Request -- Superfund

Sorry, Michael – I thought someone else on our team had already gotten back to you. Here is today's response update, which contains the latest information:

EPA has an organized emergency response program and is positioned to support FEMA, state, local and tribal partners. EPA Headquarters' Emergency Operations Center (EOC) has been activated and Administrator Pruitt is in regular contact with EPA staff across the Agency who are part of this hurricane response effort. Helping manage response efforts and focusing on the safety of those affected are our highest priorities.

As of today, EPA has activated the National Incident Management Team (N-IMAT) consisting of highly skilled response personnel from Regions 3, 4, and 5. The N-IMAT arrived in Dallas this morning to assist with response activities.

EPA has two On-Scene Coordinators co-located with FEMA in Denton and another at the State Operation Center in Austin to expedite federal and state coordination during the response.

EPA, TCEQ, Texas General Land Office (TGLO) and US Coast Guard are operating in Unified Command. The Unified Command will have seven teams in the field conducting reconnaissance.

Two National Priorities List (NPL) Superfund sites near Corpus Christi will be inspected today to assess impacts from the hurricane.

EPA continues to support TCEQ in contacting drinking water and waste water systems and will visit two systems based on information garnered.

In addition, EPA's aerial assessment aircraft will conduct aerial reconnaissance over the impacted area, as weather permits.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, August 30, 2017 5:54 PM **To:** Graham, Amy <graham.amy@epa.gov>

Subject: RE: Associated Press Request -- Superfund

Any word?

From: Biesecker, Michael

Sent: Wednesday, August 30, 2017 2:06 PM

To: 'Graham, Amy'

Subject: RE: Associated Press Request -- Superfund

We are pursuing all this and other reporting threads simultaneously, so I can't be specific. My editors want it done ASAP, so sooner is obviously better. We have reporters out in boats now.

I will point out that we first requested the EPA analysis on Aug. 17. Not sure why it would take this long to dig up.

Some questions we are trying to answer:

How many Superfund sites are underwater? Specific locations?

What monitoring are state and federal regulators doing this week? Are they visiting sites by boat? Are they sampling floodwater?

What specific actions are they taking to potentially mitigate the risk of hazardous materials migrating off site due to flooding?

From: Graham, Amy [mailto:graham.amy@epa.gov]

Sent: Wednesday, August 30, 2017 1:56 PM

To: Biesecker, Michael; StClair, Christie; Bowman, Liz; Press

Cc: Dearen, Jason H.; Casey, Michael

Subject: RE: Associated Press Request -- Superfund

Michael – When is your deadline?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, August 30, 2017 1:50 PM

To: StClair, Christie < StClair.Christie@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>; Press

<<u>Press@epa.gov</u>>

Cc: Dearen, Jason H. < <u>JDearen@ap.org</u>>; Casey, Michael < <u>MCasey@ap.org</u>>

Subject: RE: Associated Press Request -- Superfund

Liz, Christie,

AP will be writing about Superfund sites currently underwater in the Houston area. Please provide onthe-record comment about what EPA is doing to monitor these sites this week and potentially mitigate the risk of hazardous materials migrating off site due to flooding.

We will point out that EPA had previously studied this risk. AP first requested this information nearly two weeks ago. If it cannot be provided by EOB today, please provide on-the-record comment on why EPA is keeping its analysis from the public so we can report that.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Tuesday, August 29, 2017 3:14 PM **To:** Biesecker, Michael; Bowman, Liz; Press

Cc: Dearen, Jason H.

Subject: RE: Associated Press Request -- Superfund

Hi Michael.

I'll check on the status of this info.

Hope Jason is staying safe in Houston.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, August 29, 2017 2:42 PM

To: StClair, Christie <<u>StClair.Christie@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Dearen, Jason H. < <u>JDearen@ap.org</u>>

Subject: RE: Associated Press Request -- Superfund

Christie,

Following up again about AP's Aug. 17 request. Can you at least indicate whether EPA intends to provide a copy of the requested report? If so, when?

Thanks,

Michael

From: Biesecker, Michael

Sent: Monday, August 28, 2017 12:40 PM

To: 'stclair.christie@epa.gov' **Cc:** Dearen, Jason H.

Subject: FW: Associated Press Request -- Superfund

Christie,

I'm following up on this request from Jason, who has been dispatched to Houston. Any chance we can get this today?

Thanks,

Michael

Begin forwarded message:

From: "Dearen, Jason H." <<u>JDearen@ap.org</u>>
Date: August 17, 2017 at 12:25:55 PM CDT
To: "press@epa.gov" cpress@epa.gov>

Subject: Associated Press Request -- Superfund

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards,

Jason Dearen/AP



Jason Dearen -- Correspondent The Associated Press PO Box 5696 Gainesville, FL 32627 T 352.213.9949 Twitter: @JHDearen Email: jdearen@ap.org

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Sent: 9/5/2017 3:59:40 PM

To: Kevin Bogardus [kbogardus@eenews.net]; Konkus, John [konkus.john@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: EPA Response To The AP's Misleading Story

Thanks

From: Kevin Bogardus [mailto:kbogardus@eenews.net]

Sent: Tuesday, September 5, 2017 11:44 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy

<graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>;

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Thanks Liz. I will use the below in my piece, quoting you on the record. Thanks again.

"The reporter we mentioned by name was reporting from Washington. In these communications, we are providing information and facts that we feel have been intentionally left out; information crucial to both the context and understanding of an issue," said Liz Bowman, an EPA spokeswoman.

-Kevin

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Tuesday, September 05, 2017 11:41 AM

To: Kevin Bogardus < <u>kbogardus@eenews.net</u>>; Konkus, John < <u>konkus.john@epa.gov</u>>; Graham, Amy

<graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>;

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Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Ex. 6 (c)

202-737-5299 (f)

Follow me @KevinBogardus

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Sunday, September 03, 2017 12:19 PM

To: Kevin Bogardus kbogardus@eenews.net

Subject: EPA Response To The AP's Misleading Story



Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at **41** Superfund sites - **28** of those sites show no damage, and **13** have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- Correction: EPA-Dow Chemical story
- Associated Press Engulfed in CNN-Level Scandal as It Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism." - EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with with those responsible for regular cleanup activities." (The Hill, 09/02/17)

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sensationalized reporting that comes from the Associated Press' Michael Biesecker.

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From: Kevin Bogardus [kbogardus@eenews.net]

Sent: 9/5/2017 3:43:31 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov];

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202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

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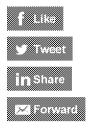
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I'm working on a piece about the dispute between EPA and the AP, as exemplified by this press release below, as well as EPA's public affairs office increasingly sending press releases criticizing coverage of the agency and EPA Administrator Scott Pruitt. I had a few questions about this, which are:

- The story in question (https://apnews.com/27796dd13b9549b0ac76aded58a15122) was not based on reporting solely "from the comfort of Washington" but in and around Houston as well. Why single out just Michael Biesecker in this press release below?
- I have noticed that EPA's public affairs office has increasingly sent out press releases criticizing coverage of the agency and Administrator Pruitt (please see here https://www.epa.gov/newsreleases/news-us-epa-new-york-times-chlorpyrifos-0, https://www.eenews.net/assets/2017/09/05/document_gw_06.pdf and https://www.eenews.net/assets/2017/09/05/document_gw_07.pdf). What are the reasons for this change in tone from EPA's public affairs office?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Ex. 6 c)

202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Sunday, September 03, 2017 12:19 PM
To: Kevin Bogardus < kbogardus@eenews.net >
Subject: EPA Response To The AP's Misleading Story



Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at 41 Superfund sites - 28 of those sites show no damage, and 13 have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- Correction: EPA-Dow Chemical story
- Associated Press Engulfed in CNN-Level Scandal as It Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherrypicking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."

- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with with those responsible for regular cleanup activities." (The Hill, 09/02/17)

In June, the editorial board at the <u>Oklahoman</u> reminded their readers of the sensationalized reporting that comes from the Associated Press' Michael Biesecker.

"The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. ... An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry — which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general — he worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) to essentially keep global warming from abating. ... The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious."





U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

From: Gray, David [gray.david@epa.gov]

Sent: 9/3/2017 7:17:36 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]

Subject: Fwd: Seeking comment on EPA press release on AP's Michael Biesecker

Sent from my iPhone

Begin forwarded message:

From: Mark Hand <mhand@americanprogress.org>
Date: September 3, 2017 at 2:15:15 PM CDT
To: "gray.david@epa.gov" <gray.david@epa.gov>

Subject: Seeking comment on EPA press release on AP's Michael Biesecker

Dear David,

I am writing an article about the EPA press release issued today criticizing AP reporter Michael Biesecker's coverage of the EPA's inspection of Superfund sites in southeastern Texas following Hurricane Harvey.

Is this the first time that the EPA has issued a press release targeting an individual reporter since Scott Pruitt became administrator?

Did Administrator Pruitt or his office personally order that the EPA communications staff issue this press release?

Did Michael Biesecker or Jason Dearen contact the EPA for comment prior to yesterday's report being published? If so, what was the EPA's response to the AP reporters' questions?

Is there any information in the current version of the article that is inaccurate?

I am hoping to get my story completed by 4 p.m. ET today.

Thank you.
Sincerely,
Mark
Mark Hand
Reporter
ThinkProgress
mhand@americanprogress.org
@MarkFHand

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/3/2017 4:41:02 PM

To: Gray, David [gray.david@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]

Subject: RE: Proposed response to AP questions - please review

Good with me, thanks

From: Gray, David

Sent: Sunday, September 3, 2017 12:37 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: Fwd: Proposed response to AP questions - please review

Team - this is what Texas is issuing without us.

Sent from my iPhone

Begin forwarded message:

From: Andrea Morrow < Andrea Morrow @tceq.texas.gov >

Date: September 3, 2017 at 11:33:31 AM CDT

To: Michael Honeycutt < Michael Honeycutt@tceq.texas.gov > Cc: Richard Chism < Richard.Chism@tceq.texas.gov >, Ryan Vise

<<u>Ryan.Vise@Tceq.Texas.Gov</u>>, "David Gray (<u>gray.david@epa.gov</u>)" <<u>gray.david@epa.gov</u>>, Susan Johnson <<u>susan.johnson@tceq.texas.gov</u>>, "Tracy Miller" <<u>tracy.miller@tceq.texas.gov</u>>, Lori Wilson <<u>Lori.Wilson@tceq.texas.gov</u>>, Emily Lindley <<u>Emily.Lindley@tceq.texas.gov</u>>

Subject: Re: Proposed response to AP questions - please review

He dropped the ozone question, Mike.

From: Michael Honeycutt

Sent: Sunday, September 3, 2017 11:32 AM

To: Andrea Morrow

Cc: Richard Chism; Ryan Vise; David Gray (gray.david@epa.gov); Susan Johnson; Tracy Miller; Lori

Wilson; Emily Lindley

Subject: Re: Proposed response to AP questions - please review

On the ozone blurb, you could add that TCEQ and EPA send ozone notifications like we always do to subscribers of our notification systems. There was nothing unusual about this notification.

On Sep 3, 2017, at 11:28 AM, Andrea Morrow < Andrea. Morrow@tceq.texas.gov > wrote:

Okay, what do you all think of this:

Air Quality Monitoring: Monitors are showing that air quality at this time is not concerning and local residents should not be concerned about air quality issues related to the effects of the storm. Due to quick action and proper preparation by state authorities, all the ambient air quality monitors in the network from south of Corpus Christi to Beaumont were protected before the storm. Since then, state authorities are working to get the systems up and running again. As of Saturday, September 2, over 70 percent of the monitors are up and working again; and authorities expect that the network will be fully operational again by next week.

Emergency response monitoring at the Arkema facility evacuation perimeter is being conducted. We will make those data available as we are able. So far, nothing of immediate health concern has been detected.

The same rules apply for start-up, shut-down activities however delays may occur based upon factors related to the emergency in some situations (i.e. power outages, computer system failure, etc.).

From: Michael Honeycutt

Sent: Sunday, September 3, 2017 11:23 AM

To: Richard Chism; Andrea Morrow

Cc: Ryan Vise; David Gray (gray.david@epa.gov); Susan Johnson; Tracy Miller

Subject: Re: Proposed response to AP questions - please review

You could add that we are doing emergency response monitoring at the Arkema facility evacuation perimeter and will make that data available as we have time. So far, nothing of immediate health concern has been detected.

From: Richard Chism

Sent: Sunday, September 3, 2017 11:19:57 AM

To: Andrea Morrow

Cc: Ryan Vise; David Gray (gray.david@epa.gov); Michael Honeycutt; Susan Johnson;

Tracy Miller

Subject: Re: Proposed response to AP questions - please review

This is directly from the draft joint response this morning. You can use it.

Air Quality Monitoring: Monitors are showing that air quality at this time is not concerning and local residents should not be concerned about air quality issues related to the effects of the storm. Due to quick action and proper preparation by state authorities, all the ambient air quality monitors in the network from south of Corpus Christi to Beaumont were protected before the storm. Since then, state authorities are working to get the systems up and running again. As

of Saturday, September 2, over 70 percent of the monitors are up and working again; and authorities expect that the network will be fully operational again by next week.

Sent from my iPhone

On Sep 3, 2017, at 11:14 AM, Andrea Morrow Andrea.Morrow@tceq.texas.gov wrote:

Which is correct, 65% or this:

• Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily removing approximately 75 percent of the stationary air monitoring equipment from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities are working to get the systems up and running again. As of Saturday, September 2, over 70 percent of the monitors are up and working again; and authorities expect that the network will be fully operational again by next week. Of the available air monitoring data collected from August 24-September 2, 2017, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning and local residents should not be concerned about air quality issues related to the effects of the storm.

From: Ryan Vise

Sent: Sunday, September 3, 2017 11:07 AM

To: Andrea Morrow

Cc: David Gray (gray.david@epa.gov); Richard Chism; Michael

Honeycutt; Susan Johnson; Tracy Miller

Subject: Re: Proposed response to AP questions - please review

I'm good with these answers.

Sent from my iPhone

On Sep 3, 2017, at 11:06 AM, Andrea Morrow Andrea.Morrow@tceq.texas.gov wrote:

FYI, Cory. He has deleted the third question because he understands the nature of the AirNow report.

I don't have sufficient information to answer these questions. I suggest we say, the TCEQ has reactivated 65 percent of our monitoring network in the hurricane-affected areas. (Insert EPA monitoring data here or explain why it is not available)

The same rules apply for start-up, shut-down activities however delays may occur based upon factors related to the emergency in some situations (i.e. power outages, computer system failure, etc.).

Hourly data from the operating ozone monitors in TCEQ's network are used by the EPA to predict air quality. What you are looking at is a **forecast** based on one-hour (snapshot) readings. The 201 ppb you referenced is not an actual monitored reading, it is a projection. TCEQ is aware of elevated ozone levels west of Houston which is not unusual for this time of year.

1)

- You are doing air monitoring at the Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in what concentrations? Where are you doing the monitoring exactly?
 - 2) Are EPA/TCEQ monitoring air quality around petrochemical plants and refineries looking for potential problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, right?
 - 3) I saw an ozone level of 201 ppb recorded in Houston on Friday on airnow.gov and Andrea Morrow of TCEQ told my colleague Jason Dearen that the reading was recorded as a single hourly max at one monitoring station. Your ozone level for the day (95 ppb) is based on an eight-hour of average, she said. But that does not deny that a single station had that maximum level, correct? What station was it? Can you tell me what hour of the day? Did any other stations Very Unhealty ozon levels on Friday or Saturday?
- Hourly data from the operating ozone monitors in TCEQ's network are used by the EPA to predict air quality. What you are looking at is a forecast based on one-hour (snapshot) readings. The 201 ppb you referenced is not an actual monitored reading, it is a projection. TCEQ is aware of elevated ozone levels west of Houston which is not unusual for this time of year.
 - 4) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/3/2017 4:15:48 PM

To: Gray, David [gray.david@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: Proposed response to AP questions - please review

Thanks – can we get this all written out, so that we can see it in full to edit? Sorry, thank you for your help!

From: Gray, David

Sent: Sunday, September 3, 2017 12:09 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: Fwd: Proposed response to AP questions - please review

Sent from my iPhone

Begin forwarded message:

From: Ryan Vise < Ryan. Vise@Tceq. Texas. Gov > Date: September 3, 2017 at 11:07:08 AM CDT

To: Andrea Morrow < Andrea Morrow @tceq.texas.gov >

Cc: "David Gray (gray.david@epa.gov)" < gray.david@epa.gov>, Richard Chism

<<u>Richard.Chism@tceq.texas.gov</u>>, Michael Honeycutt <<u>Michael.Honeycutt@tceq.texas.gov</u>>, Susan Johnson <<u>susan.johnson@tceq.texas.gov</u>>, Tracy Miller <<u>tracy.miller@tceq.texas.gov</u>>

Subject: Re: Proposed response to AP questions - please review

I'm good with these answers.

Sent from my iPhone

On Sep 3, 2017, at 11:06 AM, Andrea Morrow < Andrea Morrow@tceq.texas.gov > wrote:

FYI, Cory. He has deleted the third question because he understands the nature of the AirNow report.

I don't have sufficient information to answer these questions. I suggest we say, the TCEQ has reactivated 65 percent of our monitoring network in the hurricane-affected areas.

(Insert EPA monitoring data here or explain why it is not available)

The same rules apply for start-up, shut-down activities however delays may occur based upon factors related to the emergency in some situations (i.e. power outages, computer system failure, etc.).

Hourly data from the operating ozone monitors in TCEQ's network are used by the EPA to predict air quality. What you are looking at is a **forecast** based on one-hour (snapshot) readings. The 201 ppb you referenced is not an actual monitored reading, it is a projection. TCEQ is aware of elevated ozone levels west of Houston which is not unusual for this time of year.

1)

- You are doing air monitoring at the Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in what concentrations? Where are you doing the monitoring exactly?
 - 2) Are EPA/TCEQ monitoring air quality around petrochemical plants and refineries looking for potential problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, right?
 - 3) I saw an ozone level of 201 ppb recorded in Houston on Friday on <u>airnow.gov</u> and Andrea Morrow of TCEQ told my colleague Jason Dearen that the reading was recorded as a single hourly max at one monitoring station. Your ozone level for the day (95 ppb) is based on an eight-hour of average, she said. But that does not deny that a single station had that maximum level, correct? What station was it? Can you tell me what hour of the day? Did any other stations Very Unhealty ozon levels on Friday or Saturday?
- Hourly data from the operating ozone monitors in TCEQ's network are used by the EPA to predict air quality. What you are looking at is a **forecast** based on one-hour (snapshot) readings. The 201 ppb you referenced is not an actual monitored reading, it is a projection. TCEQ is aware of elevated ozone levels west of Houston which is not unusual for this time of year.
 - 4) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

From: Gray, David [gray.david@epa.gov]

Sent: 9/3/2017 4:04:21 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: Fwd: AP calling: Ozone emissions and monitoring in Houston

Are we close on air response?

Sent from my iPhone

Begin forwarded message:

From: "Bajak, Frank" < FBAJAK@ap.org>
Date: September 3, 2017 at 11:01:26 AM CDT

To: "David Gray (gray.david@epa.gov)" <gray.david@epa.gov>, "andrea.morrow@tceq.texas.gov"

<andrea.morrow@tceq.texas.gov>, "press@epa.org" cpress@epa.org>,
"Andrew.keese@tceq.texas.gov" <Andrew.keese@tceq.texas.gov>

Cc: "Weissert, Will" < WWeissert@ap.org>, "Dearen, Jason H." < JDearen@ap.org>

Subject: AP calling: Ozone emissions and monitoring in Houston

Greetings EPA and TCEQ,

(I'm deleting previous question No. 3 as I now understand that was AQI ozone reading and not ozone ppb).

I have some questions regarding emissions in Houston for a story whose deadline is today:

- <!--[if !supportLists]--><!--[endif]-->We have been told EPA is doing air monitoring at the
 Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in
 what concentrations? Where are you doing the monitoring exactly, with what instruments?
 Your data shows multiple ozone and PM monitoring stations in Houston were knocked out
 - during the story. Was it indeed more than half of the ozone monitors? When do you expect them to be fixed and back online?

 3) Are EPA/TCEQ monitoring air quality around Houston petrochemical plants and refineries to
 - J) Are EPA/ICEQ monitoring air quality around Houston petrochemical plants and refineries to look for potential health and safety problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, as we know.
 - 2) <!--[if !supportLists]--><!--[endif]-->Other than ozone and PM10 and PM2.5 are you monitoring for any other specific compounds?
 - 3) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

Many thanks, -fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. **Ex. 6** (Signal) Landline: +1-914-472-1145

PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu —Wickr, Signal, WhatsApp
Houston, Texas, U.S.A



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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 9/3/2017 3:06:31 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: FOR APPROVAL: EPA Response To The AP's Misleading Story - Preview

Thanks. Huge find.

Sent from my iPhone

On Sep 3, 2017, at 10:05 AM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Biesecker's name is spelled wrong throughout the release.

Sent from my iPhone

On Sep 3, 2017, at 9:25 AM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Sunday, September 3, 2017 10:04 AM

To: Abboud, Michael <abboud.michael@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John

<<u>konkus.john@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>; Graham, Amy

<graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>

Subject: FOR APPROVAL: EPA Response To The AP's Misleading Story - Preview

Deliberative Process / Ex. 5

Begin forwarded message:

From: "EPA Press Office" < press@epa.gov > Date: September 3, 2017 at 9:01:06 AM CDT

To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story -

Preview

Reply-To: press@epa.gov

Good morning -

Deliberative P	rocess / Ex. 5
Deliberative P	rocess / Ex. 5

<!--[if !vml]--><image001.png><!--[endif]-->

U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004

<u>Unsubscribe</u>

Seife v. EPA (1:19-cv-05190)

12.2.2019

Message

From: Gray, David [gray.david@epa.gov]

Sent: 9/3/2017 2:00:00 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov]

Subject: Re: AP calling: Ozone emissions and monitoring in Houston

Checking details and need Liz to coord w TX

One of the many preparations for Hurricane Harvey included TCEQ and other monitoring entities temporarily removing approximately 75% of the stationary air monitoring equipment from the greater Houston, Corpus Christi, and Beaumont areas. Of the available air monitoring data collected from August 24-September 2, 2017, all measured concentrations were well below levels of health concern.

More than 70% of the air monitors in Corpus Christi, Houston, and Beaumont have been re-established and are collecting data.

TCEQ is assessing monitoring stations in these areas for damage, and bringing them back online as access allows. All air monitoring stations in these areas that are accessible are expected to be back online by <u>Friday</u>, <u>September 8</u>, <u>2017</u>. EPA's surveillance aircraft continues to collect air monitoring information from any smoke clouds from fires at Arkema in Cosby, TX. EPA has also deployed its mobile air laboratory TAGA bus to Houston, Texas.

Sent from my iPhone

On Sep 3, 2017, at 9:47 AM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Thank you; has someone written the reporter back yet to let them know we are working on it?

From: Gray, David

Sent: Sunday, September 3, 2017 8:25 AM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Grantham, Nancy < <u>Grantham.Nancy@epa.gov</u>>; Abboud, Michael < <u>abboud.michael@epa.gov</u>>; Wagner, Kenneth < wagner.kenneth@epa.gov>; Hewitt, James < hewitt.james@epa.gov>; Graham, Amy

<graham.amy@epa.gov>; Coleman, Sam <<u>Coleman.Sam@epa.gov</u>>
Subject: Re: AP calling: Ozone emissions and monitoring in Houston

Trying to gather information

Sent from my iPhone

On Sep 3, 2017, at 8:00 AM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

Are you able to pull together some draft responses?

Sent from my iPhone

On Sep 3, 2017, at 5:47 AM, Gray, David gray.david@epa.gov> wrote:

Liz - questions about air monitoring near the plants in Houston.

Sent from my iPhone

Begin forwarded message:

From: "Bajak, Frank" <FBAJAK@ap.org>
Date: September 3, 2017 at 12:39:05 AM EDT
To: Terry Clawson <terry.clawson@tceq.texas.gov>,
"David Gray (gray.david@epa.gov)"
<gray.david@epa.gov>,
"andrea.morrow@tceq.texas.gov"
<andrea.morrow@tceq.texas.gov>,
"jones.enesta@epa.gov" <jones.enesta@epa.gov>
Cc: "Weissert, Will" <WWeissert@ap.org>, "Dearen,
Jason H." <JDearen@ap.org>
Subject: AP calling: Ozone emissions and monitoring in
Houston

Hi Terry and DAvid,

I have some questions regarding emissions in Houston:

1) <!--[if !supportLists]--><!--[endif]-->You are doing air monitoring at the Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in what concentrations? Where are you doing the monitoring exactly? 2) Are EPA/TCEQ monitoring air quality around petrochemical plants and refineries looking for potential problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, right? 3) I saw an ozone level of 201 ppb recorded in Houston on Friday on airnow.gov and Andrea Morrow of TCEQ told my colleague Jason Dearen that the reading was recorded as a single hourly max at one monitoring station. Your ozone level for the day (95 ppb) is based on an eight-hour of average, she said. But that does not deny that a single station had that maximum level, correct? What station was it? Can you tell

me what hour of the day? Did any other stations Very Unhealty ozon levels on Friday or Saturday?

4) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

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Message

From: Gray, David [gray.david@epa.gov]

Sent: 9/3/2017 1:49:22 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wagner, Kenneth

[wagner.kenneth@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov];

Coleman, Sam [Coleman.Sam@epa.gov]

Subject: Re: AP calling: Ozone emissions and monitoring in Houston

Not me

Sent from my iPhone

On Sep 3, 2017, at 9:47 AM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

Thank you; has someone written the reporter back yet to let them know we are working on it?

From: Gray, David

Sent: Sunday, September 3, 2017 8:25 AM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Wagner, Kenneth <<u>wagner.kenneth@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>; Graham, Amy

<graham.amy@epa.gov>; Coleman, Sam <<u>Coleman.Sam@epa.gov</u>>
Subject: Re: AP calling: Ozone emissions and monitoring in Houston

Trying to gather information

Sent from my iPhone

On Sep 3, 2017, at 8:00 AM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Are you able to pull together some draft responses?

Sent from my iPhone

On Sep 3, 2017, at 5:47 AM, Gray, David <gray.david@epa.gov> wrote:

Liz - questions about air monitoring near the plants in Houston.

David

Sent from my iPhone

Begin forwarded message:

From: "Bajak, Frank" < FBAJAK@ap.org>
Date: September 3, 2017 at 12:39:05 AM EDT

To: Terry Clawson < terry.clawson@tceq.texas.gov >,

"David Gray (gray.david@epa.gov)"

<gray.david@epa.gov>,

"andrea.morrow@tceq.texas.gov"

<andrea.morrow@tceq.texas.gov>,

"jones.enesta@epa.gov" <jones.enesta@epa.gov>
Cc: "Weissert, Will" <<u>WWeissert@ap.org</u>>, "Dearen,
Jason H." <<u>JDearen@ap.org</u>>
Subject: AP calling: Ozone emissions and monitoring in
Houston

Hi Terry and DAvid,

I have some questions regarding emissions in Houston:

- 1) <!--[if !supportLists]--><!--[endif]-->You are doing air monitoring at the Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in what concentrations? Where are you doing the monitoring exactly? 2) Are EPA/TCEQ monitoring air quality around petrochemical plants and refineries looking for potential problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, right? 3) I saw an ozone level of 201 ppb recorded in Houston on Friday on airnow.gov and Andrea Morrow of TCEQ told my colleague Jason Dearen that the reading was recorded as a single hourly max at one monitoring station. Your ozone level for the day (95 ppb) is based on an eight-hour of average, she said. But that does not deny that a single station had that maximum level, correct? What station was it? Can you tell me what hour of the day? Did any other stations Very Unhealty ozon levels on Friday or Saturday?
 - 4) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

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From: Gray, David [gray.david@epa.gov]

Sent: 9/3/2017 12:33:29 PM

To: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Fwd: AP calling: Ozone emissions and monitoring in Houston

Sent from my iPhone

Begin forwarded message:

From: "Bajak, Frank" < FBAJAK@ap.org > Date: September 3, 2017 at 7:06:35 AM EDT

To: Terry Clawson < terry.clawson@tceq.texas.gov, "David Gray (gray.david@epa.gov, "andrea.morrow@tceq.texas.gov, "press@epa.org" press@epa.org

Cc: "Weissert, Will" < WWeissert@ap.org >, "Dearen, Jason H." < JDearen@ap.org >

Subject: RE: AP calling: Ozone emissions and monitoring in Houston

Greetings EPA and TCEQ,

I have some questions regarding emissions in Houston:

- 1) <!--[if !supportLists]--><!--[endif]-->We have been told EPA is doing air monitoring at the Arkema plant in Crosby. Can you tell me what your monitoring has found? What chemicals in what concentrations? Where are you doing the monitoring exactly?
 - 2) Are EPA/TCEQ monitoring air quality around Houston petrochemical plants and refineries to look for potential health and safety problems? Have they deployed any mobile air monitors? (I gather these are EPA crews working in coordination with TCEQ?) If so, what have they found in the last few days near the petrochemical plants around the ship channel? If they haven't been monitoring, why not? The startup and shutdown operations typically produce heavier emissions of airborne contaminants, expert says.
 - 3) I saw an ozone level of 201 ppb recorded in Houston on Friday on <u>airnow.gov</u> and Andrea Morrow of TCEQ told my colleague Jason Dearen that the reading was recorded as a single hourly max at one monitoring station. Your ozone level for the day (95 ppb) is based on an eighthour of average, she said. But that does not deny that a single station had that maximum level, correct? What station was it? Can you tell me what hour of the day? Did any other stations report very Unhealthy ozone levels on Friday or Saturday?
 - 4) What are the state of Texas and the EPA doing to monitor public health near the petrochemical plants and refineries given the extraordinary shutdown and startup pollution and the possibility of contaminants released into their neighborhoods? Will there be health monitoring? If so, by whom? If not, why not?

Many thanks,

.fh

Frank Bajak, Correspondent

Twitter:@fbajak/Skype:fbajak

Cel. **Ex. 6** Signal) Landline: +1-914-472-1145

PGP/encrypted chat: http://keybase.io/fbajak.06CFF14700F4CAA4

PGP key at http://pgp.mit.edu —Wickr, Signal, WhatsApp

AP ASSOCIATED PRESS

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 9/2/2017 8:58:14 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Gray, David [gray.david@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]

Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

Yes, please

From: Grantham, Nancy

Sent: Saturday, September 2, 2017 4:44 PM

To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>;

Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>

Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

Do we want it posted on the web

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Gray, David

Sent: Saturday, September 02, 2017 4:44 PM

To: Bowman, Liz <Bowman, Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>

Cc: Grantham, Nancy < Grantham.Nancy@epa.gov >; Abboud, Michael < abboud.michael@epa.gov >; Konkus, John

<konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

It should be out shortly. My team is on standby

From: Bowman, Liz

Sent: Saturday, September 02, 2017 3:40 PM

To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Grantham, Nancy < Grantham.Nancy@epa.gov>; Abboud, Michael < abboud.michael@epa.gov>; Konkus, John

<<u>konkus.john@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>

Subject: FINAL VERSION OF SUPERFUND RESPONSE

Final below – David, please send this out to your lists – Jahan, if you have access to the system, can you also send it out? No harm in some people getting it twice. I can send it to the list of folks that Nancy sent me following the storm, and will be sure the White House and TCEQ have it. Thanks for your help – Liz

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

From: Graham, Amy

Sent: Saturday, September 2, 2017 4:21 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Gray, David <gray.david@epa.gov>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Konkus, John <<u>konkus.john@epa.gov</u>>; Hewitt, James hewitt.james@epa.gov

Subject: Re: CURRENT VERSION OF SUPERFUND RESPONSE

Good with me. I don't know that the AP story is technically inaccurate based on the information we had when we responded yesterday but it is certainly misleading.

Sent from my iPhone

On Sep 2, 2017, at 4:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Okay, this is the current version – work from this...also, please reply ALL so that everyone is on the same page. Moving forward, we need to finalize completely internally before we send to

Ryan b/c he doesn't need all the back and forth, and his assumption is that once it makes it to him, it's final. So, let's work from this version, make any necessary edits, and then I will send the final to Ryan, Ken, Sam and TCEQ.

Deliberative Process / Ex. 5

From: Gray, David

Sent: Saturday, September 2, 2017 4:13 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Superfund

HOLD

From: Grantham, Nancy

Sent: Saturday, September 02, 2017 3:13 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>> **Cc:** Gray, David <<u>gray.david@epa.gov</u>>

Subject: RE: Superfund

Liz .. david's folks can send it out and post it ... I have julia's schedule and she may be out of pocket.

David's folks sent last night's statement.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz

Sent: Saturday, September 02, 2017 4:10 PM

To: Jackson, Ryan < iackson.ryan@epa.gov >; Gray, David < gray.david@epa.gov >

Cc: Coleman, Sam < Coleman.Sam@epa.gov >; Kelly, Albert < kelly.albert@epa.gov >; Wagner, Kenneth

<wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James

<a href="mailto: hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov; Abboud, Michael hewitt.james@epa.gov;

Subject: RE: Superfund

UPDATED and proofread...I am posting this on Twitter, and asking Julia to send it out via press release.

Deliberative Process / Ex. 5

From: Jackson, Ryan

Sent: Saturday, September 2, 2017 3:57 PM **To:** Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert

kelly.albert@epa.gov; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <<u>Forsgren.Lee@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James < hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov> Subject: Re: Superfund NICE!! conveyed to the WH. Let's blast this out. Ryan Jackson Chief of Staff U.S. EPA Personal Matters / Ex. 6 On Sep 2, 2017, at 3:51 PM, Gray, David gray.david@epa.gov> wrote: Start with this **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:38 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Coleman, Sam <<u>Coleman.Sam@epa.gov</u>>; Kelly, Albert <<u>kelly.albert@epa.gov</u>>; Wagner, Kenneth <<u>wagner.kenneth@epa.gov</u>>; Greenwalt, Sarah <<u>greenwalt.sarah@epa.gov</u>>; Forsgren, Lee <<u>Forsgren.Lee@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy

<<u>Grantham.Nancy@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Hewitt, James

<a href="mailto:hewitt.james@epa.gov>; Abboud, Michael hewitt.james@epa.gov>; Abboud, Michael hewitt.james@epa.gov>; Abboud, Michael hewitt.james@epa.gov>

Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

Ryan Jackson Chief of Staff U.S. EPA

Personal Matters / Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:21 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>; Coleman, Sam

<<u>Coleman.Sam@epa.gov</u>>; Kelly, Albert <<u>kelly.albert@epa.gov</u>>;

Wagner, Kenneth < wagner.kenneth@epa.gov >; Greenwalt, Sarah

<greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>;

Drinkard, Andrea < Drinkard, Andrea < Drinkard.Andrea@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>;

Hewitt, James < hewitt.james@epa.gov >; Abboud, Michael

<abboud.michael@epa.gov>

Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

On Sep 2, 2017, at 3:09 PM, Gray, David gray.david@epa.gov> wrote:

Got it

Sent from my iPhone

On Sep 2, 2017, at 3:02 PM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.

Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement. I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy

Sent: Saturday, September 2, 2017 2:51

PM

To: Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>> **Subject**: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov

>

Date: September 1, 2017 at 1:53:27 PM EDT

To: "Biesecker, Michael"

< MBiesecker@ap.org>,

"StClair, Christie"

<StClair.Christie@epa.g

ov>

Cc: Press

<Press@epa.gov>,

"Gray, David"

<gray.david@epa.gov>

Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker,

Michael

[mailto:MBiesecker@ap

.org]

Sent: Friday, September

<graham.amy@epa.gov</pre>

1, 2017 1:09 PM

To: Graham, Amy

>; StClair, Christie

<stclair.Christie@epa.g ov> Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov> Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy
[mailto:graham.amy@e
pa.gov]
Sent: Friday,
September 01, 2017
1:04 PM
To: Biesecker, Michael;
StClair, Christie
Cc: Press; Gray, David
Subject: RE:
Superfund

Michael - Unified
Command personnel
inspected two
Superfund sites in the
Corpus Christi area
yesterday. Both the
Falcon Refinery Site and
the Brine Service Site
show no significant
damage. No emergency
clean up response for
storm damage is
needed at the two
sites.

From: Biesecker,
Michael
[mailto:MBiesecker@ap
.org]
Sent: Friday, September
1, 2017 12:14 PM
To: StClair, Christie
<StClair.Christie@epa.g
ov>; Graham, Amy
<graham.amy@epa.gov

:

Cc: Press

<<u>Press@epa.gov</u>> **Subject:** Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houstonarea superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876 <in

110

Wa

T 2

M :

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immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Gray, David [gray.david@epa.gov]

Sent: 9/2/2017 8:43:32 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

It should be out shortly. My team is on standby

From: Bowman, Liz

Sent: Saturday, September 02, 2017 3:40 PM

To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John

<konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: FINAL VERSION OF SUPERFUND RESPONSE

Final below – David, please send this out to your lists – Jahan, if you have access to the system, can you also send it out? No harm in some people getting it twice. I can send it to the list of folks that Nancy sent me following the storm, and will be sure the White House and TCEQ have it. Thanks for your help – Liz

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:

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Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

From: Graham, Amy

Sent: Saturday, September 2, 2017 4:21 PM **To:** Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>

Cc: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt,

James < hewitt.james@epa.gov>

Subject: Re: CURRENT VERSION OF SUPERFUND RESPONSE

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From: Gray, David

Sent: Saturday, September 2, 2017 4:13 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Superfund

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Subject: RE: Superfund

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz

Sent: Saturday, September 02, 2017 4:10 PM

To: Jackson, Ryan < jackson.ryan@epa.gov >; Gray, David < gray.david@epa.gov >

Cc: Coleman, Sam < Coleman.Sam@epa.gov >; Kelly, Albert < kelly.albert@epa.gov >; Wagner, Kenneth

<wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee

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<hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

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Deliberative Process / Ex. 5

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<abboud.michael@epa.gov>
Subject: Re: Superfund

NICE!!

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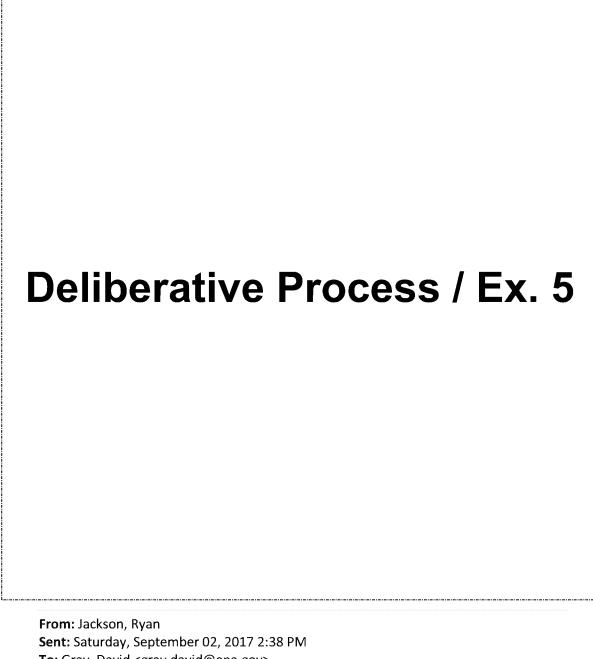
Ryan Jackson Chief of Staff

U.S. EPA

Personal Matters / Ex. 6

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<<u>hewitt.james@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>

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<abboud.michael@epa.gov>

Subject: Re: Superfund

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Ryan Jackson

Chief of Staff

U.S. EPA

Personal Matters / Ex. 6

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I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy

Sent: Saturday, September 2, 2017 2:51

PM

To: Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>> **Subject:** Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov

>

Date: September 1, 2017 at 1:53:27 PM EDT

To: "Biesecker,
Michael"

<MBiesecker@ap.org>,
"StClair, Christie"

<StClair.Christie@epa.g

ov>
Cc: Press

<Press@epa.gov>,
"Gray, David"

<gray.david@epa.gov>
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap .org] Sent: Friday, September 1, 2017 1:09 PM To: Graham, Amy <graham.amy@epa.gov</pre> >; StClair, Christie <StClair.Christie@epa.g ov> Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov> Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@e pa.gov]
Sent: Friday,
September 01, 2017
1:04 PM
To: Biesecker, Michael;
StClair, Christie
Cc: Press; Gray, David
Subject: RE:
Superfund

Michael - Unified
Command personnel
inspected two
Superfund sites in the
Corpus Christi area
yesterday. Both the
Falcon Refinery Site and
the Brine Service Site
show no significant
damage. No emergency
clean up response for
storm damage is
needed at the two
sites.

From: Biesecker,
Michael
[mailto:MBiesecker@ap
.org]
Sent: Friday, September
1, 2017 12:14 PM
To: StClair, Christie
<StClair.Christie@epa.g
ov>; Graham, Amy
<graham.amy@epa.gov
>
Cc: Press
<Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 9/2/2017 8:41:59 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Gray, David [gray.david@epa.gov];

Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]

Subject: RE: FINAL VERSION OF SUPERFUND RESPONSE

Liz .. forwarding you updated email blast list .. updated through today.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz

Sent: Saturday, September 02, 2017 4:40 PM

To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John

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Subject: FINAL VERSION OF SUPERFUND RESPONSE

Final below – David, please send this out to your lists – Jahan, if you have access to the system, can you also send it out? No harm in some people getting it twice. I can send it to the list of folks that Nancy sent me following the storm, and will be sure the White House and TCEQ have it. Thanks for your help – Liz

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

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US Environmental Protection Agency
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202-253-7056 (mobile)

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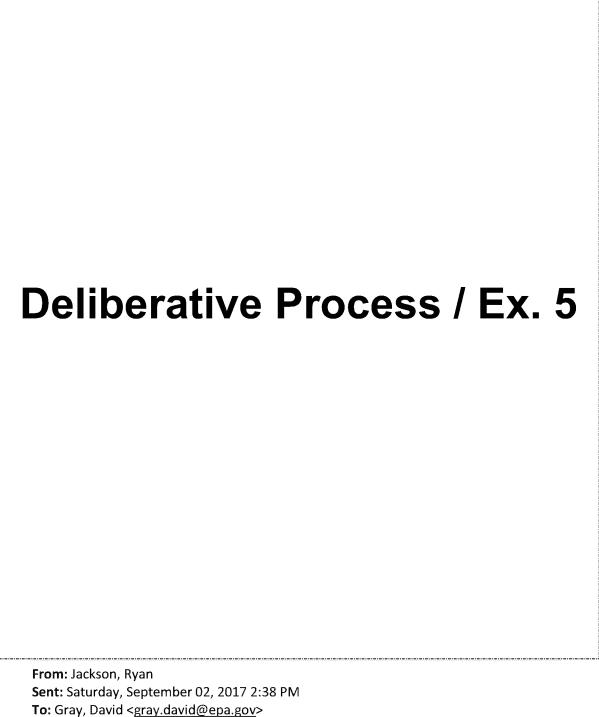
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< MBiesecker@ap.org>,

"StClair, Christie"

<StClair.Christie@epa.g

<u>ov</u>>

Cc: Press

<Press@epa.gov>,

"Gray, David"

<gray.david@epa.gov>

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[mailto:MBiesecker@ap

.org]

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>; StClair, Christie

<StClair.Christie@epa.g

<u>ov</u>>

Cc: Press

<Press@epa.gov>;

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<gray.david@epa.gov>

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Sent: Friday,

September 01, 2017

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To: Biesecker, Michael; StClair, Christie

Cc: Press; Gray, David **Subject:** RE:

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> Cc: Press

<<u>Press@epa.gov</u>> **Subject:** Superfund

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Michael

<image001.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

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Seife v. EPA (1:19-cv-05190)

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

Coleman, Sam [Coleman.Sam@epa.gov] From:

9/2/2017 8:21:21 PM Sent:

To: Gray, David [gray.david@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Wagner, Kenneth

> [wagner.kenneth@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov];

Breen, Barry [Breen.Barry@epa.gov]; Crossland, Ronnie [Crossland.Ronnie@epa.gov]; Edlund, Carl

[Edlund.Carl@epa.gov]; Peterson, Mary [Peterson.Mary@epa.gov]

Subject: RE: Superfund

Attachments: Copy of Hurricane Harvey rapid response and inspection sheet 9-2-17 SC.xlsx

Really correct numbers

Samuel Coleman, P.E. **Deputy Regional Administrator EPA Region 6** coleman.sam@epa.gov 214.665.2100 Ofc

Ex. 6

Cell

From: Coleman, Sam

214.665.3110 Direct

Sent: Saturday, September 02, 2017 3:06 PM

To: Gray, David <gray.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth

<wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>;

Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Grantham, Nancy < Grantham. Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>;

Breen, Barry Breen, Barry Breen.Barry@epa.gov; Crossland, Ronnie Crossland, Ronnie <a href="mailto:Breen.Barry@epa.gov; Edlund, Carl

<edlund.carl@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>

Subject: RE: Superfund

Corrected Chart

Samuel Coleman, P.E. **Deputy Regional Administrator** EPA Region 6 coleman.sam@epa.gov

214.665.2100 Ofc

214.665.3110 Direct

Ex. 6

Cell

From: Gray, David

Sent: Saturday, September 02, 2017 3:03 PM To: Jackson, Ryan < jackson.ryan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert

<kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>;

Forsgren, Lee < Forsgren.Lee@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>; Grantham, Nancy

<<u>Grantham.Nancy@epa.gov</u>>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <<u>hewitt.james@epa.gov</u>>;

Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: Superfund

We are checking one final number so please give me 5 min.

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:57 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>; Coleman, Sam < Coleman.Sam@epa.gov>; Kelly, Albert

<<u>kelly.albert@epa.gov</u>>; Wagner, Kenneth <<u>wagner.kenneth@epa.gov</u>>; Greenwalt, Sarah <<u>greenwalt.sarah@epa.gov</u>>;

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Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

Ryan Jackson Chief of Staff U.S. EPA

Personal Matters / Ex. 6

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Start with this

Deliberative Process / Ex. 5

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U.S. EPA

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<hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

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I am working on a draft statement now using the most recent EOC report; but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy

Sent: Saturday, September 2, 2017 2:51 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov>

Date: September 1, 2017 at 1:53:27 PM

EDT

To: "Biesecker, Michael"
< MBiesecker@ap.org>, "StClair,
Christie" < StClair.Christie@epa.gov>
Cc: Press < Press@epa.gov>, "Gray,
David" < gray.david@epa.gov>

Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 1, 2017 1:09

PΜ

To: Graham, Amy

<graham.amy@epa.gov>; StClair,
Christie <<u>StClair.Christie@epa.gov</u>>
Cc: Press <<u>Press@epa.gov</u>>; Gray, David

<gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy

[mailto:graham.amy@epa.gov]

Sent: Friday, September 01, 2017 1:04

PΜ

To: Biesecker, Michael; StClair, Christie

Cc: Press; Gray, David **Subject:** RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the

Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 1, 2017 12:14

PM

To: StClair, Christie

<<u>StClair.Christie@epa.gov</u>>; Graham,

Amy <graham.amy@epa.gov>
Cc: Press <<u>Press@epa.gov</u>>

Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

<image001

Michael Biesecker

1100 13 St.

Washington

Reporter <u>mbiesecker@ap.org</u> Twitter: @mbieseck Public Key

T 202-641-M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

From: Graham, Amy [graham.amy@epa.gov]

Sent: 9/2/2017 8:10:40 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Jackson, Ryan [jackson.ryan@epa.gov]; Gray, David [gray.david@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov];

Kelly, Albert [kelly.albert@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Greenwalt, Sarah

[greenwalt.sarah@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov];

Grantham, Nancy [Grantham.Nancy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]

Subject: Re: Superfund

Looping in Jahan

Sent from my iPhone

On Sep 2, 2017, at 4:10 PM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

UPDATED and proofread...I am posting this on Twitter, and asking Julia to send it out via press release.

Deliberative Process / Ex. 5

From: Jackson, Ryan

Sent: Saturday, September 2, 2017 3:57 PM **To:** Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert

kelly.albert@epa.gov; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <<u>Forsgren.Lee@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James < hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov> Subject: Re: Superfund NICE!! conveyed to the WH. Let's blast this out. Ryan Jackson Chief of Staff U.S. EPA Personal Matters / Ex. 6 On Sep 2, 2017, at 3:51 PM, Gray, David gray.david@epa.gov> wrote: Start with this **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

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Sent: Saturday, September 02, 2017 2:38 PM

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Cc: Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Coleman, Sam <<u>Coleman.Sam@epa.gov</u>>; Kelly, Albert <<u>kelly.albert@epa.gov</u>>; Wagner, Kenneth <<u>wagner.kenneth@epa.gov</u>>; Greenwalt, Sarah <<u>greenwalt.sarah@epa.gov</u>>; Forsgren, Lee <<u>Forsgren.Lee@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy

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Personal Matters / Ex. 6

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<Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>;

Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>

Subject: Re: Superfund

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Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00012510-00003

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Personal Matters / Ex. 6

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Sent: Saturday, September 2, 2017 2:51

PM

To: Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>> **Subject:** Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov

>

Date: September 1, 2017 at 1:53:27 PM EDT

To: "Biesecker, Michael"

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"StClair, Christie"

<StClair.Christie@epa.g

<u>ov</u>>

Cc: Press

<Press@epa.gov>,

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Sent: Friday,

September 01, 2017 1:04 PM

To: Biesecker, Michael; StClair, Christie

Cc: Press; Gray, David

Subject: RE: Superfund

Michael - Unified
Command personnel
inspected two
Superfund sites in the
Corpus Christi area
yesterday. Both the
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show no significant
damage. No emergency
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storm damage is
needed at the two
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Michael

<image001.jpg>

<in

110

Wa

T 2

M :

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

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Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Subject: RE: Superfund

Liz – we have updated the reporters covering HH email list through right now ... do you want to blast the statement to them as well?

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

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Ryan Jackson Chief of Staff U.S. EPA

Personal Matters / Ex. 6

On Sep 2, 2017, at 3:09 PM, Gray, David gray.david@epa.gov> wrote:

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Sent from my iPhone

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Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy

Sent: Saturday, September 2, 2017 2:51 PM **To:** Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov>

Date: September 1, 2017 at 1:53:27 PM

EDT

To: "Biesecker, Michael"

<<u>MBiesecker@ap.org</u>>, "StClair, Christie" <<u>StClair.Christie@epa.gov</u>> **Cc:** Press <<u>Press@epa.gov</u>>, "Gray, David" <<u>gray.david@epa.gov</u>>

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Cc: Press; Gray, David **Subject:** RE: Superfund

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PM

To: StClair, Christie

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Michael

<image001.jpg>

<image001

Michael Biesecker Reporter mbiesecker@ap.org 1100 13 St. Washington

Twitter: @mbieseck
Public Key

T 202-641-M {**Ex. 6**

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Gray, David [gray.david@epa.gov]

Sent: 9/2/2017 8:05:01 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]

CC: Coleman, Sam [Coleman.Sam@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Wagner, Kenneth

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I am going to post this on Twitter as well:

Deliberative Process / Ex. 5

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Abboud, Michael <abboud.michael@epa.gov> Subject: Re: Superfund</abboud.michael@epa.gov>
NICE!!
conveyed to the WH. Let's blast this out.
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Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key

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Reporter mbiesecker@ap.org Twitter: @mbieseck

Public Key

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<image001.jpg>

1100 13 St. NW, Su Washington, D.C. 2

T 202-641-9445

M Ex. 6

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On Sep 2, 2017, at 3:09 PM, Gray, David gray.david@epa.gov> wrote:

Got it

Sent from my iPhone

On Sep 2, 2017, at 3:02 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.

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Thank you for your help and assistance, especially on a Holiday weekend -- Liz

From: Graham, Amy

Sent: Saturday, September 2, 2017 2:51 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" < graham.amy@epa.gov>
Date: September 1, 2017 at 1:53:27 PM EDT
To: "Biesecker, Michael" < MBiesecker@ap.org>,
"StClair, Christie" < StClair.Christie@epa.gov>
Cc: Press < Press@epa.gov>, "Gray, David"

<gray.david@epa.gov>
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, September 1, 2017 1:09 PM

To: Graham, Amy <graham.amy@epa.gov>; StClair,

Christie < StClair.Christie@epa.gov > Cc: Press < Press@epa.gov >; Gray, David

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When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]

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Graham, Amy <graham.amy@epa.gov>

Cc: Press < Press@epa.gov >

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Michael

<image001.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

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<image001.jpg>

1100 13 St. NW, Su Washington, D.C. 2

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Ex. 6

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

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From: Gray, David [gray.david@epa.gov]

Sent: 9/2/2017 7:34:56 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov]; Kelly, Albert [kelly.albert@epa.gov];

Wagner, Kenneth [wagner.kenneth@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Forsgren, Lee

[Forsgren.Lee@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]

Subject: Heads Up - 2 more trailers on fire at Arkema

From: Jackson, Ryan

Sent: Saturday, September 02, 2017 2:21 PM

To: Gray, David <gray.david@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert

<kelly.albert@epa.gov>; Wagner, Kenneth < wagner.kenneth@epa.gov>; Greenwalt, Sarah < greenwalt.sarah@epa.gov>;

Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>;

Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

Ryan Jackson Chief of Staff U.S. EPA

Personal Matters / Ex. 6

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<<u>StClair.Christie@epa.gov</u>>

Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>

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Cc: Press < Press@epa.gov >; Gray, David < gray.david@epa.gov >

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<graham.amy@epa.gov>
Cc: Press < Press@epa.gov>

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Michael

<image001.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

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Sent: 9/2/2017 7:17:06 PM

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Abboud, Michael [abboud.michael@epa.gov]; Edlund, Carl [Edlund.Carl@epa.gov]; Peterson, Mary

[Peterson.Mary@epa.gov]

Subject: Re: Superfund

I have status of all sites and will send in a few minutes.

Sent from my iPhone

On Sep 2, 2017, at 3:08 PM, Coleman, Sam < Coleman.Sam@epa.gov> wrote:

Just talked to David. He will work up some points for this.

Samuel Coleman, P. E., Deputy Regional Administrator

214.665.2100 Ofc 214.665.3110 Desk **Ex. 6** Cell

Coleman.sam@epa.gov

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Reporter

mbiesecker@ap.org Twitter: @mbieseck

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Abboud, Michael [abboud.michael@epa.gov]; Shapiro, Mike [Shapiro.Mike@epa.gov]

Subject: Re: Superfund

On superfund this is coming momentarily. Barry working with Region 6 to get this.

Mike, the water information is the next issue so let's be proactive on getting out our information whether reporters want to write about it or not.

Ryan Jackson Chief of Staff U.S. EPA

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<image002.jpg>

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Reporter

mbiesecker@ap.org Twitter: @mbieseck

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From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 8/31/2017 10:44:24 PM

To: StClair, Christie [StClair.Christie@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

CC: Valentine, Julia [Valentine.Julia@epa.gov]

Subject: RE: HH - Fwd: FOR GUIDANCE: AP (Michael Biesecker): Superfund sites & storm surge

Will do thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: StClair, Christie

Sent: Thursday, August 31, 2017 5:56 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Cc: Valentine, Julia <Valentine.Julia@epa.gov>

Subject: HH - Fwd: FOR GUIDANCE: AP (Michael Biesecker): Superfund sites & storm surge

Although I sent the initial response up for approval weeks ago, this inquiry has taken on new significance due to Harvey. I feel strongly you should handle as a HH inquiry at this point.

Christie

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>

From: "StClair, Christie" < StClair.Christie@epa.gov>

Date: August 31, 2017 at 5:32:26 PM EDT

To: Press < Press@epa.gov>

Subject: FOR GUIDANCE: AP (Michael Biesecker): Superfund sites & storm surge

Last night, Amy approved a response to Michael Biesecker, an AP reporter who'd asked about Superfund sites in flood plains. This morning, the reporter had a follow up question. The only EPA staffer who can answer it is out until Tuesday. But AP plans to run the story before then. I'm looking for guidance.

More details:

In the spreadsheet we sent, there was no definition for sites labeled as a "1." (There were only definitions for sites labeled 2-5).

The staffer who would know the definition is out until Tuesday, according to Greg Siedschlag, the comms director for OSRTI.

Here's the story outline:

We are interested in what Superfund sites are in flood plains, both in Texas and around the country. We have visited some sites in metro Houston. They are underwater, as one would expect. No obvious monitoring going to determine what might be seeping out.

We aren't suggesting that EPA should have parted the waters. More that this is a longstanding threat – and one that will get worse with more frequent storms, floods and sea-level rise.

Is EPA prioritizing cleanup of Superfund sites in flood zones? What has been done following the adaptation report? Are there particular sites around the country of significant concern?

The thread with the reporter is below, and the spreadsheet is attached.

Please advise.

Thanks, Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 31, 2017 11:37 AM **To:** StClair, Christie@epa.gov>

Cc: Press < Press@epa.gov>; Dearen, Jason H. < JDearen@ap.org>

Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Wednesday, August 30, 2017 6:54 PM **To:** Biesecker, Michael; Dearen, Jason H.

Cc: Press

Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks, Christie

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From: StClair, Christie [StClair.Christie@epa.gov]

Sent: 8/31/2017 9:55:58 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

CC: Valentine, Julia [Valentine.Julia@epa.gov]

Subject: HH - Fwd: FOR GUIDANCE: AP (Michael Biesecker): Superfund sites & storm surge

Attachments: Locations.xlsx; ATT00001.htm

Although I sent the initial response up for approval weeks ago, this inquiry has taken on new significance due to Harvey. I feel strongly you should handle as a HH inquiry at this point.

Christie

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>

From: "StClair, Christie" < StClair.Christie@epa.gov>

Date: August 31, 2017 at 5:32:26 PM EDT

To: Press < Press@epa.gov>

Subject: FOR GUIDANCE: AP (Michael Biesecker): Superfund sites & storm surge

Last night, Amy approved a response to Michael Biesecker, an AP reporter who'd asked about Superfund sites in flood plains. This morning, the reporter had a follow up question. The only EPA staffer who can answer it is out until Tuesday. But AP plans to run the story before then. I'm looking for guidance.

More details:

In the spreadsheet we sent, there was no definition for sites labeled as a "1." (There were only definitions for sites labeled 2-5).

The staffer who would know the definition is out until Tuesday, according to Greg Siedschlag, the comms director for OSRTI.

Here's the story outline:

We are interested in what Superfund sites are in flood plains, both in Texas and around the country. We have visited some sites in metro Houston. They are underwater, as one would expect. No obvious monitoring going to determine what might be seeping out.

We aren't suggesting that EPA should have parted the waters. More that this is a longstanding threat – and one that will get worse with more frequent storms, floods and sea-level rise.

Is EPA prioritizing cleanup of Superfund sites in flood zones? What has been done following the adaptation report? Are there particular sites around the country of significant concern?

The thread with the reporter is below, and the spreadsheet is attached.

Please advise.

Thanks, Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 31, 2017 11:37 AM **To:** StClair, Christie@epa.gov>

Cc: Press < Press@epa.gov >; Dearen, Jason H. < JDearen@ap.org >

Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair,Christie@epa.gov]

Sent: Wednesday, August 30, 2017 6:54 PM **To:** Biesecker, Michael; Dearen, Jason H.

Cc: Press

Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks, Christie

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From: Graham, Amy [graham.amy@epa.gov]

Sent: 8/30/2017 10:38:22 PM

To: StClair, Christie [StClair.Christie@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]

Subject: FW: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex) **Attachments**: Locations.xlsx; Adaptation Summary Report 2 16 12 Final.pdf

Let's go ahead and send this over to him.

From: StClair, Christie

Sent: Tuesday, August 29, 2017 11:38 AM

To: Abboud, Michael <abboud.michael@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Cc: Valentine, Julia < Valentine. Julia@epa.gov>

Subject: FW: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy and Michael,

AP is looking for a report, mentioned on EPA's site, about Superfund sites that might be impacted by storm surge.

This inquiry came in before Harvey but has taken on new importance. The information (attached) has already been made publicly available, in response to a FOIA request.

The original reporter deployed to Houston. Michael Biesecker is now the lead reporter, and he is pinging.

OK to send him the report, and spreadsheet of locations?

Thanks, Christie

From: StClair, Christie

Sent: Wednesday, August 23, 2017 11:12 AM

To: Valentine, Julia < Valentine.Julia@epa.gov >; Graham, Amy < graham.amy@epa.gov >

Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy,

Here are the attachments.

Christie

From: Valentine, Julia

Sent: Tuesday, August 22, 2017 5:21 PM

To: Graham, Amy <graham.amy@epa.gov>
Cc: StClair, Christie <<u>StClair.Christie@epa.gov</u>>

Subject: Re: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy, attachment is also included on the "Open Inquiries" email I sent about an hour ago.

Julia P. Valentine Office of Media Relations 202.564.2663

Sent from USEPA iPhone

On Aug 22, 2017, at 5:18 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Please resend the attachment

From: StClair, Christie

Sent: Tuesday, August 22, 2017 5:11 PM

To: Press < Press@epa.gov>

Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Reporter is pinging. This info has already been shared publicly. OK to send it to him?

From: StClair, Christie

Sent: Tuesday, August 22, 2017 10:38 AM

To: Press < Press@epa.gov>

Subject: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Background: Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge. He's just starting his story research, and he is looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. The 2012 report, and accompanying spreadsheet of locations, was already made public in response to a FOIA request. Reporter: Jason Dearen, AP, jdearen@ap.org.

Proposed response: (b) (5) / Deliberative Process

From: Dearen, Jason H. [mailto:JDearen@ap.org]

Sent: Thursday, August 17, 2017 1:26 PM

To: Press < Press@epa.gov >

Subject: Associated Press Request -- Superfund

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards, Jason Dearen/AP

<image002.jpg>

Jason Dearen -- Correspondent The Associated Press PO Box 5696 Gainesville, FL 32627 T 352.213.9949 Twitter: @JHDearen

Email: <u>idearen@ap.org</u>

www.ap.org

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From: Valentine, Julia [Valentine.Julia@epa.gov]

Sent: 8/30/2017 7:59:45 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy

[graham.amy@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; AO OPA Media Relations [AO_OPA_Media_Relations@epa.gov]

Subject: OPEN INQUIRIES FOR REVIEW -- 8/30/17 -- AFTERNOON

Hi, all – We would love to have you review the inquiries and draft responses that are below. Or let us know if they need rework, or to check if the reporters still want them.

Jess, of the super-intern team Jess and Nick, prepared this. Click any line at the top and it will take you down to that request.

Thanks

- E&E News, DEADLINE: 8/30 (Ariel Wittenberg), Re: WOTUS webinars/meetings. Enesta Jones.
- HybridCars.com, DEADLINE: 8/29 (Jeff Cobb), Re: Mid-term evaluation timeline. Robert Daguillard for Christie.
- Longview (WA) Daily News, DEADLINE: 8/24 (Marissa Luck), Re: Diesel exhaust and tier 4 standards. Robert
 Daguillard (Christie covering today).
- Inside EPA, DEADLINE: 8/24 (Maria Hegstad), Re: Perchlorate Peer Review. Tricia Lynn (Enesta covering, story ran but reporter would still like response).
- Inside EPA, DEADLINE: 8/22 (Stuart Parker), Re: EPA approval of state air plans. Enesta Jones.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard (Christie covering).
- World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. Christie StClair.
- Oregon Public Broadcasting, DEADLINE: 8/16 (Tony Schick), Re: Poison Papers. Robert Daguillard.
- BNA, DEADLINE: 8/14 (Tiffany Stecker), Re: OIG report: EPA lost audit trail for pesticide fee fund. Robert Daguillard (Chrisite backing).
- Audubon, DEADLINE: 8/11 (Meredith Rutland Bauer), Re: OECA budget cuts. Tricia Lynn (Julia backing).
- AP, DEADLINE: flexible (Jason Dearen), Re: Superfund storm surge. Christie StClair.

E&E News, DEADLINE: 8/30 (Ariel Wittenberg), Re: WOTUS webinars/meetings. Enesta Jones.

Background:

E&E reporter is asking about the procedure for the WOTUS webinars and meetings. Sarah Greenwalt is aware of our response. Ariel Wittenberg, awittenberg@eenews.net

Suggested Response:

(b) (5) / Deliberative Process

Inquiry:

I had a couple of questions regarding the Waters of the U.S. webinars. First, I noticed that some of them have different processes for registering. For example, while most of the ones with open registration direct

interested parties to fill out an online form, the Small Entities meeting directs people to email Joan Rogers, the Small Business Ombudsman. Why is there a different procedure for that meeting?

On a similar note, I understand that the various outreach meetings are geared toward different constituencies (environmental justice, agriculture, transportation, etc.), and I was wondering whether anyone would be allowed to register for those webinars or if they would have to prove a connection to whatever type of stakeholders are the subject of the meeting. In other words, would an environmentalist who focuses on nutrient pollution, for example, be able to still attend and participate in the outreach meeting geared toward agriculture (or would an agriculture industry representative be able to attend and participate in one of the meetings geared toward conservation)?

HybridCars.com, DEADLINE: 8/29 (Jeff Cobb), Re: Mid-term evaluation timeline. Robert Daguillard.

Background:

The information the reporter is seeking is publicly available, to be found on: https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas - Jeff Cobb - Hybrid Cars - jcobb@verticalscope.com

Response:

(b) (5) / Deliberative Process	

(b) (5) / Deliberative Process		

Inquiry:

Can you please apprise me of an approximate (or actual) timeline for the EPA's reevaluation of the Midterm Review for CAFE 2022-2025?

I'm told there is an NPRM, a public comment period for some duration, and a final determination by some time in 2018?

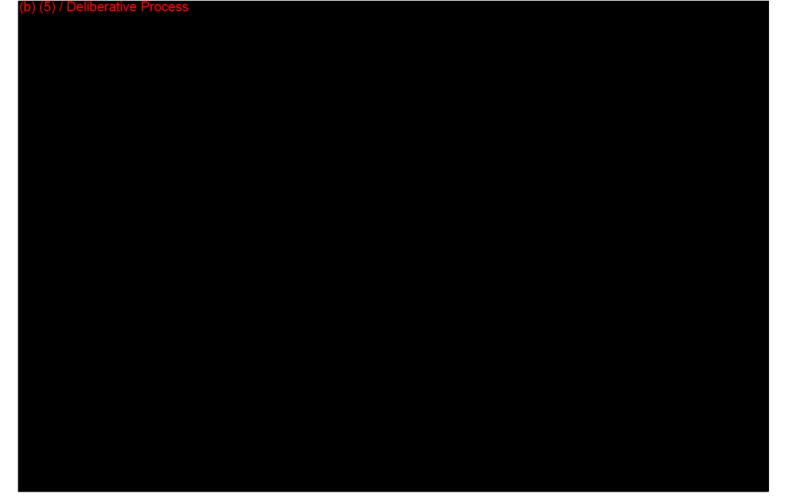
Could you please tell me the actual sequence of events, and their estimated timing?

Longview (WA) Daily News, DEADLINE: 8/24 (Marissa Luck), Re: Diesel exhaust and tier 4 standards. *Robert Daguillard*.

Background:

The reporter is doing a story about possible health risks from diesel emissions - from trains carrying coal to a proposed terminal in Longview, WA. Marissa Luck – Longview (WA) Daily News – mluck@tdn.com

Response:



(b) (5) / Deliberative Process

Inquiry:

Just following up with our phone conversation. I was hoping I could talk to someone from EPA about tier 4 standards for locomotives. This is for a story about diesel emissions from trains carrying coal to the proposed coal terminal in Longview backed by Millennium Bulk Terminals. According to a state and county environmental impact statement, trains carrying coal could increase the cancer risk rate by 10 percent for the low-income neighborhood in Longview. I think this has broader implications across the state about diesel emissions from trains affect the risk of cancer for anyone living near a rail line. I'm curious to know how these tier 4 standards reduce exposure to diesel exhaust and other carcinogens. My deadline is 4 p.m. Thursday Aug. 24 so if there is someone I can talk to before that would be great.

Inside EPA, DEADLINE: 8/24 (Maria Hegstad), Re: Perchlorate Peer Review. Tricia Lynn.

Background:

Reporter is looking for a comment on the status of the perchlorate Safe Drinking Water Act regulation. Specifically, she wants to know whether EPA will meet the deadline to complete peer review by October 18. She also asks about an inter-agency panel on perchlorate. Reporter is Maria Hegstad (mhegstad@iwpnews.com) of Risk Policy Report.

Suggested Response:

(b) (5) / Deliberative Process

Inquiry:

Is it possible to get a comment this afternoon on the status of the perchlorate SDWA regulation? The first court-ordered deadline is for EPA to complete peer review by Oct. 18 -- but the agency has yet to issue a Federal Register notice about the second planned peer review panel meeting.

Can you comment on whether EPA will meet this deadline, or if peer review plans have changed?

Also, I understand there is now an interagency panel of some sort on perchlorate. I understand this group met two weeks ago and members were unhappy that EPA give them only the charge questions for peer review -- but declined to provide the underlying documentation of how the perchlorate model will be used. Any comment?

Inside EPA, DEADLINE: 8/22 (Stuart Parker), Re: EPA approval of state air plans. Enesta Jones.

Background:

Inside EPA reporter is asking about the disapproval of air state implementation plans under the new administration. Response input form OAR. Stuart Parker, stuart.parker@iwpnews.com

Suggested Response:

(b) (5) / Deliberative Process

Inquiry:

Hi Enesta,

Can someone at EPA tell me how many disapprovals of state implementation plans (SIPs) EPA has issued under the Trump administration that:

- 1) were not proposed for disapproval under the Obama administration and
- 2) were not compelled by a court order?

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

The response consists of: (b) (5) / Deliberative Process

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Roc	ponse:	
1162	ponse.	

(b) (5) / Deliberative Process	

Inquiry:

Hello, Robert

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?

- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. *Christie StClair*.

Background:

We're handling this inquiry from World Wildlife Fund as a media inquiry, since it may end up as a blog or article on the WWF website. The proposed response comes from OLEM's Office of Emergency Management. I'd like to send our final response to the FEMA public affairs desk with an FYI they may be hearing from the reporter shortly. Reporter: Hannah Levitt, World Wildlife Fund Environment and Disaster Management program, Hannah.Levitt-intern@wwfus.org

Proposed response:
(b) (b) (c) / Deliberative Process

Inquiry:

My name is Hannah Levitt and I am a communications intern at the World Wildlife Fund Environment and Disaster Management program (envirodm.org). The program works with humanitarian and environmental groups to integrate environmental considerations into disaster relief and recovery outside of the U.S. As part of my internship, I am conducting research on environmentally friendly and community-driven disaster recovery efforts in the U.S. I am wondering if any of you can provide me with any further information regarding these kind of efforts in the U.S. or point me in the direction of someone who may be able to further discuss this topic

I am potentially doing a piece for our own website (a blog post, if you will), but I am also just information-gathering on disaster recovery efforts that are specifically environmentally focused.

To your knowledge what kinds of green/environmentally friendly disaster recovery efforts have occurred and/or are occurring in the U.S.? Do you have any specific examples you can provide me with or any contacts in organizations/nonprofits/etc.?

Oregon Public Broadcasting, DEADLINE: 8/16 (Tony Schick), Re: Poison Papers. Robert Daguillard.

Background:

The documents the reporter is referencing are available at www.poisonpapers.org and reference what the organizers say is collusion between the pesticides and chemical industry on the one hand, and regulatory agencies, on the other, going back to the 1920s.

(b) (5) / Deliberative Process

Response:

(b) (5) / Deliberative Process

Inquiry:

My name is Tony Schick, I'm a reporter for Oregon Public Broadcasting, I'm producing a story on a collection of documents called the Poison Papers (www.poisonpapers.org). According to the organizations publishing the documents, they contain a number of items concern the EPA, including the following, which I've excerpted from the Center for Media and Democracy website:

"Secrecy — They disclose EPA meeting minutes of a secret high-level dioxins working group that admitted dioxins are extraordinarily poisonous chemicals. Internal minutes contradict the agency's longstanding refusal to regulate dioxins or set legal limits.

Collusion — They demonstrate EPA collusion with the pulp and paper industry to "suppress, modify, or delay" the results of the congressionally-mandated National Dioxin Study, which found high levels of dioxins in everyday products, such as baby diapers and coffee filters, as well as pulp and paper mill effluents.

Deception — They provide important new data on the infamous Industrial Bio-Test (IBT) scandal. By the late 1970s, it was known that more than 800 safety studies performed by IBT on 140 chemicals produced by 38 chemical manufacturers were nonexistent, fraudulent, or invalid. The Poison Papers, however, show that EPA and its Canadian counterpart, the Health Protection Branch (HPB), colluded with pesticide manufacturers, to keep invalidly registered products on the market and covered up massive problems with many IBT tests.

Cover-up — The papers also show that EPA staff had evidence that this IBT scandal involved more independent testing companies and more products than ever officially acknowledged.

Concealment —Show that EPA concealed and falsely its own studies finding high levels of dioxin - 2,3,7,8-TCDD - in environmental samples and human breast milk following routine use of 2,4-D and 2,4,5-T (Agent Orange) by the federal Forest Service and Bureau of Land Management."

Source: http://www.prwatch.org/news/2017/07/13269/poison-papers-expose-collusion-industry-regulators-hazardous-pesticides-chemicals

I'm seeking comment from the EPA about these. I'd like to set up a phone interview to discuss what's alleged here. I have a deadline by end of day tomorrow, Aug. 15.

BNA, DEADLINE: 8/14 (Tiffany Stecker), Re: OIG report: EPA lost audit trail for pesticide fee fund. Robert Daguillard.

Background:

Office of Inspector General reports usually contain recommendations, as well as an official agency response outlining whatever action the relevant program office has already undertaken, or proposes to take. Ms. Stecker is reaching out to

us for comment because the report she is referencing – identifying weaknesses in our pesticide fee fund audit system - contained neither recommendations, nor agency response. Tiffany Stecker – BNA – <u>tstecker@bna.com</u>

Proposed Response:

(b) (5) / Deliberative Process

Inquiry:

Would the EPA be able to comment on this recent IG report? https://www.epa.gov/sites/production/files/2017-08/documents/_epaoig_20170814-17-p-0362.pdf

I know the report states that EPA is working to correct some of these auditing problems, but it doesn't include an official response from EPA. Would you like to provide a statement?

Audubon, DEADLINE: 8/11 (Meredith Rutland Bauer), Re: OECA budget cuts. Tricia Lynn.

Background:

Reporter wants to know about cuts to OECA under the President's proposed budget, and specifically how OECA will balance its budget if non-pay funds have to be shifted to pay salaries. Freelance reporter is Meredith Rutland Bauer (b) (6) / Personal Privacy , writing for Audubon.

I've suggested the most recently-used budget statement for OECA, but it's from a while ago. Please advise if I should send something newer.

Suggested Response:

b) (5) / Deliberative Process

Inquiry:

I'm a freelance environmental reporter, and I'm working on a piece for Audubon about the White House's proposed EPA budget and the portion allocated for the EPA's Office of Enforcement and Compliance Assurance. As acting director, I'd like to get your thoughts about the proposed budget and its potential impact on your department.

Since the 2018 budget allocates \$356 million for the EPA OECA salaries and \$62 million for non-pay expenses, I noticed that is \$125.6 million less than the 2017 budget. Since this means there is \$83.4 million less for salaries, and because the process of laying off staff is lengthy, does this mean the EPA OECA will have to use the remainder of its non-pay funds to balance its budget.

If this is not the case, how will the EPA OECA balance its budget?

If non-pay dollars must be moved to salaries, how will the OECA pay for any non-pay expenses like testing methods, court fees and lab costs required when doing investigations?

Can I expect a response from your office by the end of this business week?

AP, DEADLINE: flexible (Jason Dearen), Re: Superfund storm surge. Christie StClair.

Background:

Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge. He's just starting his story research, and he is looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. The 2012 report, and accompanying spreadsheet of locations, was already made public in response to a FOIA request. Reporter: Jason Dearen, AP, jdearen@ap.org.

Proposed response:

(b) (5) / Deliberative Process

Inquiry:

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 8/30/2017 7:29:53 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]

Subject: Re: Climate Change and Harvey

Got it thanks, I will send him this

Sent from my iPhone

On Aug 30, 2017, at 2:12 PM, Wilcox, Jahan < wilcox.jahan@epa.gov > wrote:

We already have a statement that has been approved and sent out to numerous outlets.

From: Bowman, Liz

Sent: Wednesday, August 30, 2017 3:07 PM **To:** Graham, Amy <graham.amy@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt,

James < hewitt.james@epa.gov >

Subject: Re: Climate Change and Harvey

Deliberative Process / Ex. 5

Sent from my iPhone

On Aug 30, 2017, at 1:53 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Here's the statement – let us know if you want us to send it.

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Wednesday, August 30, 2017 2:51 PM

To: Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>

Subject: Fwd: Climate Change and Harvey

Deliberative Process / Ex. 5

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: August 30, 2017 at 1:40:41 PM CDT

To: "Bowman, Liz" < Bowman.Liz@epa.gov> **Subject: Climate Change and Harvey**

Liz,

AP is also doing another story (we did one two days ago) about what climate scientists are saying about Harvey: That while global warming didn't cause the storm, warmer air and warmer water make storms like Harvey wetter and more intense.

Does EPA agree with that assessment?

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker Reporter mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

8/30/2017 7:12:35 PM Sent:

To: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: Climate Change and Harvey

We already have a statement that has been approved and sent out to numerous outlets.

From: Bowman, Liz

Sent: Wednesday, August 30, 2017 3:07 PM To: Graham, Amy <graham.amy@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>

Subject: Re: Climate Change and Harvey

Deliberative Process / Ex. 5

Sent from my iPhone

On Aug 30, 2017, at 1:53 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Here's the statement – let us know if you want us to send it.

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Wednesday, August 30, 2017 2:51 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: Fwd: Climate Change and Harvey

Deliberative Process / Ex. 5

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: August 30, 2017 at 1:40:41 PM CDT To: "Bowman, Liz" <Bowman.Liz@epa.gov>

Subject: Climate Change and Harvey

Liz,

AP is also doing another story (we did one two days ago) about what climate scientists are saying about Harvey: That while global warming didn't cause the storm, warmer air and warmer water make storms like Harvey wetter and more intense.

Does EPA agree with that assessment?

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445

M Ex. 6

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From: Graham, Amy [graham.amy@epa.gov]

Sent: 8/30/2017 6:12:53 PM

To: Gray, David [gray.david@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; EOC Public Information

[EOC_Public_Information@epa.gov]

CC: Valentine, Julia [Valentine.Julia@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Hewitt, James

[hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: HH Associated Press Request -- Superfund

All – We are still working on this. Don't send anything else to the reporter.

From: Gray, David

Sent: Wednesday, August 30, 2017 2:11 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; EOC Public Information <EOC_Public_Information@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy
<graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: HH Associated Press Request -- Superfund

Here the response that I sent to them.

Hi Michael,

Two National Priorities List (NPL) Superfund sites near Corpus Christi will be inspected today to assess any impacts from the hurricane now that flood water has receded. We have a total of 31 Superfund sites in the flood areas that we will look at as soon as conditions allow.

David

From: Bowman, Liz

Sent: Wednesday, August 30, 2017 1:10 PM

To: EOC Public Information < <u>EOC Public Information@epa.gov</u>>

Cc: Valentine, Julia < <u>Valentine.Julia@epa.gov</u>>; Grantham, Nancy < <u>Grantham.Nancy@epa.gov</u>>; Graham, Amy < <u>graham.amy@epa.gov</u>>; Gray, David < <u>gray.david@epa.gov</u>>; Hewitt, James < <u>hewitt.james@epa.gov</u>>; Abboud,

Michael <abboud.michael@epa.gov>

Subject: Re: HH Associated Press Request -- Superfund

Deliberative Process / Ex. 5

Sent from my iPhone

On Aug 30, 2017, at 1:05 PM, EOC Public Information < <u>FOC Public Information@epa.gov</u>> wrote:

David, Deliberative Process / Ex. 5

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00012892-00001

From: Valentine, Julia

Sent: Wednesday, August 30, 2017 1:54 PM

To: Grantham, Nancy; Graham, Amy; Gray, David; EOC Public Information; Hewitt, James; Abboud,

Michael

Cc: Bowman, Liz

Subject: HH Associated Press Request -- Superfund

Forwarding to response team Bcc: press@epa for tracking

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, August 30, 2017 1:50 PM

To: StClair, Christie <<u>StClair.Christie@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Press

<Press@epa.gov>

Cc: Dearen, Jason H. < <u>JDearen@ap.org</u>>; Casey, Michael < <u>MCasey@ap.org</u>>

Subject: RE: Associated Press Request -- Superfund

Liz, Christie,

AP will be writing about Superfund sites currently underwater in the Houston area. Please provide onthe-record comment about what EPA is doing to monitor these sites this week and potentially mitigate the risk of hazardous materials migrating off site due to flooding.

We will point out that EPA had previously studied this risk. AP first requested this information nearly two weeks ago. If it cannot be provided by EOB today, please provide on-the-record comment on why EPA is keeping its analysis from the public so we can report that.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Tuesday, August 29, 2017 3:14 PM **To:** Biesecker, Michael; Bowman, Liz; Press

Cc: Dearen, Jason H.

Subject: RE: Associated Press Request -- Superfund

Hi Michael,

I'll check on the status of this info.

Hope Jason is staying safe in Houston.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, August 29, 2017 2:42 PM

To: StClair, Christie <<u>StClair.Christie@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Dearen, Jason H. < JDearen@ap.org>

Subject: RE: Associated Press Request -- Superfund

Christie.

Following up again about AP's Aug. 17 request. Can you at least indicate whether EPA intends to provide a copy of the requested report? If so, when?

Thanks,

Michael

From: Biesecker, Michael

Sent: Monday, August 28, 2017 12:40 PM

To: 'stclair.christie@epa.gov' **Cc:** Dearen, Jason H.

Subject: FW: Associated Press Request -- Superfund

Christie,

I'm following up on this request from Jason, who has been dispatched to Houston. Any chance we can get this today?

Thanks, Michael

Begin forwarded message:

From: "Dearen, Jason H." <<u>JDearen@ap.org</u>>
Date: August 17, 2017 at 12:25:55 PM CDT
To: "press@epa.gov" cpress@epa.gov

Subject: Associated Press Request -- Superfund

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards, Jason Dearen/AP



Jason Dearen -- Correspondent

The Associated Press

PO Box 5696

Gainesville, FL 32627

T 352.213.9949

Twitter: @JHDearen Email: jdearen@ap.org

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From: Konkus, John [konkus.john@epa.gov]

Sent: 9/16/2018 3:45:20 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: hurricane Q -- oil leak?

He never asked about this. Duke put out their own press release on it last night. That's what he's reporting off of.

Sent from my iPhone

On Sep 16, 2018, at 11:43 AM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Did biesecker get our most up to date statement?

https://www.nbcnewyork.com/news/national-international/Florence-Flood-Risk-Superfund-Toxic-Waste-Sites-493371401.html

Sent from my iPhone

Begin forwarded message:

Resent-From: < Press@epa.gov>

From: "Grantham, Nancy" < Grantham. Nancy@epa.gov>

Date: September 16, 2018 at 11:12:58 AM EDT **To:** "Dennis, Brady" <Brady.Dennis@washpost.com>

Cc: Press < Press@epa.gov>

Subject: RE: hurricane Q -- oil leak?

Hi Brady,

Please see our statement below. EPA will deploy to the site once weather conditions permit.

Thanks ng

On September 15, 2018, due to heavy rains from Hurricane/Tropical Storm Florence, storm water infiltrated a dry coal ash storage impoundment at the L.D. Sutton Steam Plant, Wilmington, North Carolina, resulting in erosion of a portion of the impoundment wall. Reportedly, 2,000 cubic yards of coal ash was released to a ditch that leads to an onsite cooling water pond for the plant. This cooling pond has an outfall to the Cape Fear River. Duke Energy, the facility operator, does not believe the coal ash has reached the cooling pond and reports that the release has not left their property. Duke Energy personnel are on site and managing the situation and will proceed with a full repair when weather conditions improve. This facility is under State regulatory jurisdiction, and EPA response personnel are closely coordinating with the State of North Carolina and the facility operator.

Nancy Grantham Office of Public Affairs

US Environmental Protection Agency 202-564-6879 (desk) 202-253-7056 (mobile)

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]

Sent: Sunday, September 16, 2018 10:17 AM

To: Grantham, Nancy < Grantham, Nancy@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Re: hurricane Q -- oil leak?

Thanks for this info, Nancy. Appreciate the follow up.

One other quick question: I noticed that Duke Energy said there had been an overflow last night at a coal ash pond at its Sutton plant in Wilmington.

I know NC DEQ was trying to get there to survey. Has EPA visited that site as well, or are there plans to?

Thanks again, Brady

.....

Brady Dennis
The Washington Post
202-334-7745
brady.dennis@washpost.com
@brady_dennis

On Sep 16, 2018, at 9:43 AM, Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>> wrote:

[EXTERNAL EMAIL]

Brady,

Here is the final info on this issue.

Thanks ng

Understandably, local responders did not have the resources to respond and prevent further oil from leaving the property. Due to incoming inclement weather, EPA contracted with a local contractor for quick response to prevent release of oil during incoming inclement weather and is coordinating with NC DEQ Division of Waste Management. EPA contractors used a vacuum truck to collect free liquids on the inside and outside of the facility. Liquid was containerized and staged onsite for subsequent disposal. It is estimated that the amount of liquid spilled is no more than 2,000 gallons and was previously over reported. The site has been secured and additional work and disposal will take place as weather permits.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]

Sent: Saturday, September 15, 2018 9:50 AM

To: Press < <u>Press@epa.gov</u>> **Subject:** hurricane Q -- oil leak?

Hi all,

On hurricane duty today and seeing some reporting that EPA has put out something on an oil leak in Shelby, N.C. Was there a release on that? (Sadly, I still don't receive most EPA press releases). Either way, if you have any info, are you able to send along?

Many thanks.

<image001.png>
Brady Dennis
National Staff
Health, Science & Environment

Work: (202) 334-7745

Email: brady.dennis@washpost.com
Twitter: @brady_dennis@washpost.com
Stories: http://wapo.st/2sS5gfK [wapo.st]

M	es	Sã	g	e

Daguillard, Robert [Daguillard.Robert@epa.gov] From: 9/11/2018 8:13:53 PM Sent: To: Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov] CC: Daguillard, Robert [Daguillard.Robert@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov] Open Inquiries, 11 September 2018 Subject: Attachments: RE: FOR REVIEW: E&E News (Ben Storrow) RE: Impact of Deregulatory Agenda. (9/7/18) Only one open inquiry from Ben Storrow (EE News), attached. Tricia originally forwarded it for approval on Friday. Please advise. Inquiries awaiting response: AP, Ellen Knickmeyer – eknickmeyer@ap.org - (OR DOES THE RESPONSE TO THE AP'S MATTHEW BROWN ALSO COUNT FOR THIS REPORTER?) Hi, there. Any idea how this effects the court order/court case directing EPA to go ahead and implement the Obama-era rule on this? Thanks, Ellen Sent: Tuesday, September 11, 2018 11:17 AM To: Knickmeyer, Ellen < EKnickmeyer@ap.org> Subject: EPA Proposes Oil and Gas Targeted Improvements to Advance President Trump's Energy Dominance Agenda AP, Michael Biesecker, mbiesecker@ap.org John, Could you or another appropriate person provide details about EPA's preparations for potential environmental hazardous resulting from potential flooding from Hurricane Florence? After Hurricane Floyd in 1999, much of Eastern North Carolina experienced severe flooding that swamped hundreds of hog lagoons and dozens of coal ash pits, resulting in significant water quality impacts. Are you guys bracing for similar problems this time? Also, any preparations to note at Superfund sites, industrial facilities, hazardous waste facilities, etc.? Thanks. Michael

I noticed in Acting Administrator Wheeler's calendar that he had several meetings and calls with Cummins, Inc., in May and June. What were those meetings about? Asking because I noticed an agreement to voluntarily recall 500,000 heavyduty Cummins trucks came not long after those meetings. Thanks, -Zack Zack Colman **E&E News** White House correspondent Ex. 6 o: 202-446-0408 twitter: @zcolman Mailing list add requests: Mike Soraghan, E&E News reporter, msoraghan@eenews.net Ex. 6 (office and mobile) Cheers, R. Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency

EE News, Zack Colman, zcolman@eenews.net

Hi all,

Washington, DC

+1 (202) 564-6618 (O) +1 Ex. 6 (M)

From: Schwab, Justin [Schwab.Justin@epa.gov]

Sent: 8/9/2018 6:08:17 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Baptist, Erik

[Baptist.Erik@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Beach,

Christopher [beach.christopher@epa.gov]

Subject: Re: Chlorpyrifos Response

Deliberative Process / Attorney Client Ex. 5

Sent from my iPhone

On Aug 9, 2018, at 2:01 PM, Jackson, Ryan < jackson.ryan@epa.gov> wrote:

Deliberative Process /Attorney Client Ex. 5

From: Abboud, Michael

Sent: Thursday, August 9, 2018 1:46 PM

To: Jackson, Ryan <jackson.ryan@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin

<<u>Schwab.Justin@epa.gov</u>>; Baptist, Erik <<u>Baptist.Erik@epa.gov</u>>

Cc: Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Beach, Christopher

<beach.christopher@epa.gov>
Subject: FW: Chlorpyrifos Response

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 1:43 PM

To: Abboud, Michael <abboud.michael@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Chlorpyrifos Response

Will EPA consider appealing to the Supreme Court?

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, August 09, 2018 1:39 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < <u>Press@epa.gov</u>> **Subject:** Chlorpyrifos Response

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and

has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and the **Obama Administration's USDA** questioning the study and its data:

- <!--[if !supportLists]--><!--[endif]-->2016 EPA Scientific Advisory Panel: "Some Panel
 members thought the quality of the CCCEH data is hard to assess when raw
 analytical data have not been made available, and the study has not been
 reproduced."
- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->2017 Obama Administration USDA letter: "USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision ..."

EPA LINK: https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data

USDA letter attached.

From: Hewitt, James [hewitt.james@epa.gov]

Sent: 8/9/2018 10:08:08 PM

To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Fwd: Response on chlorpyrifos ruling?

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: August 9, 2018 at 5:43:32 PM EDT

To: "Hewitt, James" < hewitt.james@epa.gov >
Subject: Re: Response on chlorpyrifos ruling?

If you look at the most recent version of the story we added a partial quote. But we're not using the whole thing as written. The suggestion that the Obama EPA and the 9th Circuit only relied on the Columbia study is inaccurate.

I would also again invite you to provide comment on our other questions from today, which have thus far received no response.

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From: Hewitt, James < hewitt_james@epa.gov > Sent: Thursday, August 9, 2018 5:34:00 PM

To: Biesecker, Michael

Subject: RE: Response on chlorpyrifos ruling?

It's completely relevant to the reader and the issue.

CNN, ABC, The Washington Post, and the Guardian included/explained the full statement—and if they felt needed to elaborate, only needed one additional paragraph.

CNN:

"EPA is reviewing the decision," spokesman Michael Abboud said in a statement on Thursday. He wrote that the data behind a Columbia University scientific study considered by the Obama administration and the court during their reviews of the pesticide "remains inaccessible" to the agency.

ABC:

An EPA spokesman said the agency has questions about one of the major studies cited as a major source in the EPA's previous recommendation to ban the pesticide in 2015. He said EPA's scientific advisors and scientists at other agencies expressed concern about the study because they did not have access to the raw data the Columbia Center for Children's Environmental Health used in its research.

"EPA is reviewing the decision," EPA spokesman Michael Abboud said in a statement. "The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science."

The Washington Post:

"EPA is reviewing the decision," agency spokesman Michael Abboud said in a statement, adding that epidemiological data from Columbia University that partly was used to support a ban "remains inaccessible and has hindered the agency's ongoing process to fully evaluate the pesticide using the best available, transparent science."

The Guardian:

The EPA argues that the evidence of the pesticide's harmfulness, in a study by the Columbia Center for Children's Environmental Health, is not conclusive and the researchers have not released the raw data behind their conclusions.

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science," said the EPA spokesman Michael Abboud.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 5:12 PM **To:** Hewitt, James < hewitt.james@epa.gov **Subject:** Re: Response on chlorpyrifos ruling?

James,

There's nothing new there. We've reported previously on EPA's "secret science" objection and the referenced 2017 USDA letter, which is more than a year old now. The quote, as written, also wouldn't make much sense to the average reader without several graphs of additional background.

AP has repeatedly asked EPA to cite a single published study supporting the agency's current contention that chlorpyrifos is safe and that the other recent academic studies are all in error. The agency has yet to do so.

Michael

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From: Hewitt, James < hewitt.james@epa.gov > Sent: Thursday, August 9, 2018 4:32:38 PM

To: Biesecker, Michael

Subject: RE: Response on chlorpyrifos ruling?

Michael, why wasn't are full statement included/explained in the story?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 12:35 PM

To: Press < <u>Press@epa.gov</u>>

Subject: Response on chlorpyrifos ruling?

The 9th Circuit Court of Appeals ruled today that EPA violates the law by continuing to allow the pesticide chlorpyrifos to be used on fruits and vegetables despite evidence compiled by the agency's own scientists showing it harms childrens' brains. The court order it's use on produce sold in the U.S. to end within 60 days.

Does EPA have a response?

Thanks,

Michael

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From: Hewitt, James [hewitt.james@epa.gov]

Sent: 8/9/2018 9:57:20 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: FW: Response on chlorpyrifos ruling?

From: Hewitt, James

Sent: Thursday, August 9, 2018 5:34 PM **To:** 'Biesecker, Michael' <MBiesecker@ap.org> **Subject:** RE: Response on chlorpyrifos ruling?

It's completely relevant to the reader and the issue.

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"EPA is reviewing the decision," spokesman Michael Abboud said in a statement on Thursday. He wrote that the data behind a Columbia University scientific study considered by the Obama administration and the court during their reviews of the pesticide "remains inaccessible" to the agency.

ABC:

An EPA spokesman said the agency has questions about one of the major studies cited as a major source in the EPA's previous recommendation to ban the pesticide in 2015. He said EPA's scientific advisors and scientists at other agencies expressed concern about the study because they did not have access to the raw data the Columbia Center for Children's Environmental Health used in its research.

"EPA is reviewing the decision," EPA spokesman Michael Abboud said in a statement. "The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science."

The Washington Post:

"EPA is reviewing the decision," agency spokesman Michael Abboud said in a statement, adding that epidemiological data from Columbia University that partly was used to support a ban "remains inaccessible and has hindered the agency's ongoing process to fully evaluate the pesticide using the best available, transparent science."

The Guardian:

The EPA argues that the evidence of the pesticide's harmfulness, in a study by the Columbia Center for Children's Environmental Health, is not conclusive and the researchers have not released the raw data behind their conclusions.

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science," said the EPA spokesman Michael Abboud.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 5:12 PM **To:** Hewitt, James < hewitt.james@epa.gov **Subject:** Re: Response on chlorpyrifos ruling?

James,

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Michael

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From: Hewitt, James < hewitt.james@epa.gov > Sent: Thursday, August 9, 2018 4:32:38 PM

To: Biesecker, Michael

Subject: RE: Response on chlorpyrifos ruling?

Michael, why wasn't are full statement included/explained in the story?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 12:35 PM

To: Press < Press@epa.gov >

Subject: Response on chlorpyrifos ruling?

The 9th Circuit Court of Appeals ruled today that EPA violates the law by continuing to allow the pesticide chlorpyrifos to be used on fruits and vegetables despite evidence compiled by the agency's own scientists showing it harms childrens' brains. The court order it's use on produce sold in the U.S. to end within 60 days.

Does EPA have a response?

Thanks,

Michael

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From: Hewitt, James [hewitt.james@epa.gov]

Sent: 8/9/2018 8:41:49 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]

Subject: FW: Chlorpyrifos Response

Ryan, can you discuss?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 9, 2018 4:37 PM

To: Abboud, Michael <abboud.michael@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Chlorpyrifos Response

Michael,

The Associated Press reported in June 2017 that Pruitt announced the agency's reversal on chlorpyrifos just 20 days after his official schedule showed a meeting with Dow CEO Andrew Liveris. Following AP's report, EPA's press said that March 9, 2017, meeting on Pruitt's schedule never happened and demanded a correction.

However, internal EPA emails released earlier this year show that little more than a week after the conference and before Pruitt announced his decision, Pruitt's scheduler reached out to Liveris' executive assistant to schedule a follow-up meeting.

"Hope this email finds you well!" wrote Sydney Hupp on March 20, 2017. "I am reaching out today about setting up a meeting to continue the discussion between Dow Chemical and Administrator Scott Pruitt. My apologies for the delay in getting this email into you _ it has been a crazy time over here!"

Please provide comment on what "discussion" Hupp was referring to and whether EPA still stands by the agency's earlier statements that Pruitt and Liveris did not meet. Also, please provide comment on whether Pruitt and Liveris met at any other times prior to his resignation.

Thanks,

Michael

From: Biesecker, Michael

Sent: Thursday, August 09, 2018 1:43 PM

To: 'Abboud, Michael' <abboud.michael@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Chlorpyrifos Response

Will EPA consider appealing to the Supreme Court?

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, August 09, 2018 1:39 PM

To: Biesecker, Michael <MBiesecker@ap.org>

Cc: Press <<u>Press@epa.gov</u>> **Subject:** Chlorpyrifos Response

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and the **Obama Administration's USDA** questioning the study and its data:

- 2016 EPA Scientific Advisory Panel: "Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced."
- 2017 Obama Administration USDA letter: "USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision ..."

EPA LINK: https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data

USDA letter attached.

From:

Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: To: 6/4/2018 4:29:51 PM Press [Press@epa.gov]

Subject:

Fwd: EPA Celebrates 500 Days of American Greatness

I'll post.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 (M)
202-564-6618 (O)

Begin forwarded message:

From: "EPA Press Office" < press@epa.gov > Date: June 4, 2018 at 12:06:38 PM EDT

To: "<u>Daguillard Robert@epa.gov</u>" < <u>Daguillard Robert@epa.gov</u>>
Subject: EPA Celebrates 500 Days of American Greatness

Reply-To: press@epa.gov

EPA Celebrates 500 Days of American Greatness

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty to the Auto Industry

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency

and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22 Deregulatory Actions, Which Could Save Americans More Than \$1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy

speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be

Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back

The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent:4/2/2018 7:11:49 PMTo:Press [Press@epa.gov]Subject:Fuel economy announcement

For planning purposes, is the appearance by Administrator Pruitt at a Virginia car dealership for tomorrow still on? Details?

AP Video would like to be there for national television distribution.

AP

ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

Twitter: @mbieseck
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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

Block, Molly [block.molly@epa.gov] From:

Sent: 4/24/2018 7:42:22 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan

[wilcox.jahan@epa.gov]

CC: Press [Press@epa.gov]

Subject: RE: Pruitt event on "secret science"

See email sent at 3:23 pm.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 24, 2018 3:41 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt event on "secret science"

Asking again.

From: Biesecker, Michael

Sent: Tuesday, April 24, 2018 2:28 PM

To: 'Bowman, Liz' <Bowman, Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Cc: 'Press' <Press@epa.gov>

Subject: Pruitt event on "secret science"

Could you please provide a copy of whatever the administrator just signed?

Thanks,

Michael



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Michael Biesecker Investigative Reporter mbiesecker@ap.org

Twitter: @mbieseck

Public Key

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 4/7/2018 1:25:37 AM

To: Biesecker, Michael [MBiesecker@ap.org]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Requests for comment

We missed this inquiry. Can you please update your story with our statement:

On-The-Record ... "According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and his family. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "We have at least four times — four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats — 'I'm going to put a bullet in your brain' — to implied threats — 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats — like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached — vulgar language, people were being somewhat aggressive towards him — and so the special agent in charge provided documentation — a memo — to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator." (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (<u>Bloomberg</u>, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, April 6, 2018 12:20 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Requests for comment

Didn't get a response to these questions yesterday. I remain hopeful you will provide on the record comment about the reasons for the administrator's upsized security detail, which has included 20 full-time staff and additional officers that have rotated in from around the country. We are preparing to report on the total cost of the administrator's security precautions.

From: Biesecker, Michael

Sent: Thursday, April 05, 2018 1:06 PM

To: 'Bowman, Liz' < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov >

Subject: RE: Requests for comment

Thanks for getting back to me Liz.

I also want to confirm something else with you: EPA has said previously on background that Administrator Pruitt's 24-hour security detail and use of premium class airfare were initiated following unprecedented threats to his security, including an incident last March where a person yelled at him in an airport to "Stop f-ing up the environment." Is all that accurate?

Also, without divulging specific details about his security arrangements, can you all provide any more on the nature of the threats against him? Have there been threats of violence? Have any investigations initiated into individuals who made threats against him?

We have searched state and federal court records and cannot find any instances of individuals being charged with communicating threats against Pruitt. Can you point me to any?

Thanks,

Michael

From: Bowman, Liz < Bowman.Liz@epa.gov > Sent: Thursday, April 05, 2018 12:55 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Requests for comment

Hi Michael – Here is our statement on Samantha: "After serving for over a year as EPA's head of policy, Samantha Dravis has decided to pursue other opportunities. She has been integral in the Agency's successful implementation of the President's environmental agenda and the Agency wishes her success in her future endeavors."

I understand that Kevin Minoli has a statement on the new memo, which he can share with you directly.

Thank you,

Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, April 5, 2018 8:38 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Cc: Press < <u>Press@epa.gov</u>>
Subject: Requests for comment

Jahan, Liz,

Please provide comment on the resignation of Samantha Dravis and Kevin Minoli's letter saying he wasn't given full info Pruitt's living arrangement before issuing the earlier memo you distributed.

Thanks,

Michael



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Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 4/11/2018 8:55:21 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]; Daly, Matthew [MDaly@ap.org]; Feldman, Carole

[CFeldman@ap.org]

CC: Press [Press@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Correction Request From EPA

Jahan,

The quote you provided last night in response to our request for comment about Carballo's reported dismissal says "the action today was based on a recommendation by the Office of Administration and Resources Management." What was that action?

Also, please provide on-the-record response to Chairman Gowdy's letter saying EPA has failed to provide the House oversight committee documents requested on Feb. 20.

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov> Sent: Wednesday, April 11, 2018 4:50 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Daly, Matthew <MDaly@ap.org>; Feldman,

Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Correction Request From EPA

He is an EPA employee. AP falsely reported that he was fired. Again, EPA is asking for a correction to Michael and Matt's story.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:45 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <!Pace@ap.org>; Daly, Matthew <MDaly@ap.org>; Feldman, Carole <CFeldman@ap.org>

Subject: RE: Correction Request From EPA

Jahan,

What is his current employment classification with EPA. Is he on unpaid leave?

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 11, 2018 4:41 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Daly, Matthew < MDaly@ap.org>; Feldman,

Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Correction Request From EPA

Julie and Carol -

EPA is asking for a correction to Michael Biesecker and Matt Daly's story. The Associated Press falsely reported that Mario Caraballo was fired. That is completely false as he remains an EPA employee.

• "The career staffer who wrote the February memo questioning Pruitt's security costs, **Mario Caraballo**, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

Here is a new statement and again we are asking for a correction regarding the line above.

EPA STATEMENT ... "We do not comment on personnel matters. Mario Caraballo remains an EPA employee. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." – Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:29 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <!Pace@ap.org>; Daly, Matthew <MDaly@ap.org>; Feldman,

Carole <<u>CFeldman@ap.org</u>>
Cc: Press <<u>Press@epa.gov</u>>
Subject: RE: Senate D's Presser

Jahan,

We can include a sentence saying EPA has denied any connection between the timing of the firing and word of the memo, but we see no need to run the same statement two days in a row.

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 11, 2018 4:23 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Daly, Matthew < MDaly@ap.org>; Feldman,

Carole <<u>CFeldman@ap.org</u>>
Cc: Press <<u>Press@epa.gov</u>>
Subject: RE: Senate D's Presser

So since you included it yesterday, it's not worthy to be included today. Instead you can just print false information and exclude a statement from a career EPA official.

Again, if you are going to include this line: "The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

Then you should include this line: "We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any

connection between the personnel matter and the document mentioned in media reports." – Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:18 PM To: Wilcox, Jahan <wilcox, jahan@epa.gov>

Subject: FW: Senate D's Presser

Jahan,

We included this same statement in AP's story yesterday.

Michael

From: Wilcox, Jahan <wilcox, jahan@epa.gov>
Sent: Wednesday, April 11, 2018 3:55 PM
To: Daly, Matthew <MDaly@ap.org>
Subject: RE: Senate D's Presser

Can you please include our statement from our career EPA employee in response to this line: "The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

ON-THE-RECORD EPA STATEMENT: "We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." — Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Wilcox, Jahan

Sent: Wednesday, April 11, 2018 11:52 AM
To: 'Daly, Matthew' < MDaly@ap.org>
Subject: FW: Senate D's Presser

From: Wilcox, Jahan

Sent: Wednesday, April 11, 2018 10:58 AM To: 'Mascaro, Lisa' < LMascaro@ap.org>

Subject: Senate D's Presser

If you are reporting on today's press conference with Senate Minority Leader Chuck Schumer, Senator Udall, Senator Carper, Senator Merkley, Senator Bennet and Senator Markey, we wanted to pass along the following statement:

"From advocating to leave the Paris Accord, working to repeal Obama's Clean Power Plan and WOTUS, declaring a war on lead and cleaning up toxic Superfund sites, Administrator Pruitt is focused on advancing President Trump's agenda of regulatory certainty and environmental stewardship." – EPA spokesman, Jahan Wilcox

Off-the-record, it might be worth asking Senate Minority Leader Schumer what he thinks of Pruitt's efforts to combat lead in drinking water in New York City. Or for Senator Bennet and Senate Udall their thoughts on Pruitt's work regarding Gold King Mine. In terms of Senator Merkley if he has an opinion on Pruitt's work on reaching an agreement to finally clean up the toxic Portland Harbor Superfund site.

BACKGROUND ...

The New York Post reported Scott Pruitt called for a 'coordinated' response to NYC lead crisis. "EPA Administrator Scott Pruitt called for a 'coordinated' response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. 'We each play a role. I'd love to see steps taken at the local level to invest." (The New York Post, 03/21/18)

Oregon Public Broadcasting reported that Scott Pruitt lead the charge to clean up Portland Harbor Superfund site. The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor Superfund site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the plans will deliver some but not all of the data needed to track and clean up widespread contamination of a 10-mile stretch of the Willamette River. ... EPA Administrator Scott Pruitt released a statement saying he's proud of the progress the agency has made since releasing a final cleanup plan for the Portland Harbor site early this year. 'We are committed to keeping up the momentum,' Pruitt said. 'By cooperating with the state, the tribal nations, other federal partners and the responsible parties, we will keep the cleanup moving toward our shared goals of reducing risks to people and the environment, and returning the Lower Willamette to a healthier and more vital working waterway for all.'" (Oregon Public Broadcasting, 12/20/17)

The Newark Star-Ledger reported Scott Pruitt discussed efforts to make cleaning up Superfund sites a priority to advance the Agency's core mission. "The Environmental Protection Agency plans to step up efforts to get companies who dumped toxic waste at New Jersey's Superfund sites to pay to clean them up, Administrator Scott Pruitt said. Pruitt on Monday blamed a lack of urgency... New Jersey has 114 designated Superfund sites, the most in the nation, included three of Pruitt's 21 highest-priority locations." (NJ Advance Media, 03/21/18)

South Coast Today reported that Scott Pruitt is working clean-up the New Bedford Harbor in Massachusetts. "New Bedford Harbor has been identified by the U.S. Environmental Protection agency as one of two Superfund sites in New England with the greatest potential for redevelopment and commercial use. ... additional staff time and attention could be devoted to the sites, EPA spokeswoman Kelsey Dumville said in an interview. ... In New Bedford, the EPA is working with the city and state to plan reuse of the EPA's shoreline facilities after the cleanup. Other work includes coordinating the cleanup with the city's Riverwalk and integrating navigational dredging with the construction of port facilities. As of December, approximately 425,000 cubic yards of PCB-contaminated sediment had been removed from the upper harbor. The EPA estimates the majority of the cleanup will be done within five years." (South Coast Today, 01/17/18)

<u>The Denver Post</u> reported that Scott Pruitt went to Colorado and said EPA "walked away" from Colorado after Gold King spill, commits to making Silverton clean-up a priority. "Environmental Protection Agency chief Scott Pruitt says his agency 'walked away' from Colorado after the Gold King Mine spill under the Obama administration, vowing Friday to make a federal cleanup of the Gold King and other abandoned mines around

Silverton a priority. He also said he will re-evaluate rejected damage claims — totaling hundreds of millions of dollars — made in the disaster's wake. Pruitt visited the site Friday with a delegation of Colorado's top politicians on the eve of the two-year anniversary of the EPA-triggered disaster. He said that he planned to meet with private citizens impacted by the spill, as well as local leaders, to get first-hand information on his agency's response. 'I've already sent out a letter to all the claimants who have filed claims asking them to resubmit," Pruitt told The Denver Post in a phone interview ahead of his visit to the Gold King. "Some of those folks I'm sure I'll meet today, and I'm looking forward to speaking with them directly. Farmers and ranchers, business owners, the recreational activities that occur on the Animas River — all were impacted, and from my perspective it was a wrong that we need to make right." (The Denver Post, 08/04/17)

The <u>Albuquerque Journal</u> reported that Scott Pruitt is finishing claims surrounding the Gold King Mine spill "Environmental Protection Agency Administrator Scott Pruitt said Monday that the federal government is close to finishing its assessment of roughly 400 claims for financial damages stemming from the 2015 Gold King Mine spill, which dumped toxic chemicals into waters in New Mexico, Colorado and Utah, and final recommendations could be ready by the end of the month." (The Albuquerque Journal, 03/19/18)

St. Louis Post Dispatch reported Scott Pruitt discussed the ongoing cleanup process at the West Lake Landfill Superfund site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents. 'What is really exciting about St. Louis is at this point, in five years the uranium will be removed,' Pruitt said, in reference to the radioactive material left over from World War II's atomic bomb creation. 'Which I think is amazing in light of taking 28 years to just make a decision.'" (St. Louis Post Dispatch, 02/01/18)

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Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 Personal Privacy (PP)
Work Email: wilcox.jahan@epa.gov

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 4/10/2018 4:09:38 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Request for comment

Jahan,

Will EPA release documents recounting the specific death threats you describe?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov> Sent: Tuesday, April 10, 2018 11:59 AM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Request for comment

"Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within OECA using information collected from the PSD, EPA's Office of Homeland Security, and Inspector General. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with

Bloomberg News. "What's really disappointing to me as it's not just me -- it's family." (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator." (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (<u>Bloomberg</u>, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 10, 2018 11:58 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: Request for comment

Liz and Jahan,

Sens. Carper and Whitehouse have issued a letter saying they obtained internal EPA documents that show no evidence of specific, credible, physical threats against Administrator Pruitt. The letter says they reviewed confidential security assessments describing 16 purported threats. Among them: public protests, criticism of Pruitt's policies and other activities protected by the First Amendment.

The Democrats say they saw no records describing specific, credible threats against Pruitt or his family.

Obviously, this does not square with Jahan's statement on Friday citing "unprecedented" death threats against Pruitt and his family.

Please	nrovide	on-the-record	l resnonse
riease	DIOVIGE	Ull-tille-record	i resuulise.

Thanks,

Michael



Michael Biesecker

Investigative Reporter mbiesecker@ap.org
Twitter: @mbieseck

Public Key

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M Ex. 6 Personal Privacy (PP)

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 4/10/2018 3:33:34 PM

To: Emily Holden [eholden@politico.com]; Press [Press@epa.gov]

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

It's actually different.

From: Emily Holden [mailto:eholden@politico.com]

Sent: Tuesday, April 10, 2018 11:32 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

This is the same response from last week. Can you address your own internal reports suggesting the actual threats don't justify his security arrangements? Thank you.

Emily Holden
Reporter, energy/climate
POLITICO

eholden@politico.com

+1 Ex. 6 Personal Privacy (PP) Mobile, WhatsApp, Signal, Confide)

@emilyhholden

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, April 10, 2018 11:31 AM

To: Emily Holden <eholden@politico.com>; Press <Press@epa.gov>

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

"Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within OECA using information collected from the PSD, EPA's Office of Homeland Security, and Inspector General. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." — EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

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about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." ($\underline{\text{E\&E}}$ News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator." (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (Bloomberg, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Emily Holden [mailto:eholden@politico.com]

Sent: Tuesday, April 10, 2018 11:25 AM

To: Press < Press@epa.gov>

Subject: FW: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

Do you have a comment on this letter? Are these examples of threats all of what you have used to justify Pruitt's higher security level and expenses? Why doesn't the report list any threats during air travel? Would need a comment ASAP, thanks.

Emily Holden
Reporter, energy/climate
POLITICO

eholden@politico.com

+1 Ex. 6 Personal Privacy (PP) Mobile, WhatsApp, Signal, Confide)

@emilyhholden

From: Davidson, Richard (Whitehouse) [mailto:Richard Davidson@whitehouse.senate.gov]

Sent: Tuesday, April 10, 2018 10:47 AM

To: Davidson, Richard (Whitehouse) < Richard Davidson@whitehouse.senate.gov>

Cc: Brennan, Christine (EPW) < Christine Brennan@epw.senate.gov>

Subject: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

Hi again, all,

We have another letter for you from Senators Whitehouse and Carper on Pruitt. This one calls into question the justification for Pruitt's 24-7 security detail and other security measures (first-class flights, security sweeps of EPA facilities, etc.) based on documents brought to our attention by a whistleblower. This information is being sent to Senator Barrasso calling for bipartisan oversight hearings by Senate EPW. The full details are below, but here are the key take-aways:

- Secret Service security threat assessments from 2017 and 2018 identify no "reports of behaviors of interest" against the administrator
- The Joint Terrorism Task Force reported in October there are "no known investigations underway concerning threats to Scott Pruitt"
- Pruitt's security detail's justification for the extensive security measures Pruitt enjoys relies largely on negligible threats such as non-violent protests, negative feedback about the Administrators actions or other First Amendment protected activity
- An internal EPA review of Pruitt's security justification concludes it "DOES NOT employ sound analysis or
 articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions
 regarding the protection posture for the Administrator"; and that "[u]sing all source intelligence resources, <u>EPA</u>
 Intelligence has not identified any specific credible direct threat to the EPA Administrator"
- The internal review also concludes that it has "not seen any analysis to indicate why the Administrator would be at any greater risk on a commercial airline than any other passenger, or why a trained EPA PSD member could not protect the Administrator in a different location on the aircraft [than in the business or first-class section]"

<u>Note:</u> Given that this information deals with details of threats to a cabinet official, we are not making the underlying reports available.

Full text of the Senators' letter is below. A PDF is attached.

April 10, 2018

The Honorable John Barrasso Chairman Senate Committee on Environment and Public Works 410 Dirksen Senate Office Building Washington, D.C. 20510

Dear Chairman Barrasso,

We write to request that the Senate Environment and Public Works (EPW) Committee immediately initiate bipartisan oversight hearings into the extent and justification of security spending for Environmental Protection Agency (EPA) Administrator Scott Pruitt. Documents provided to us by EPA official(s) suggest the agency has relied on questionable "threats" to the Administrator, including reports of non-violent protests, negative feedback about the Administrator's actions, or other First Amendment protected activity, to justify millions of dollars in additional security spending, including first-class air travel, as compared to his predecessors at the agency. These

non-public documents include security threat assessments from the United States Secret Service that identify no "reports of behaviors of interest" against Administrator Pruitt, and an internal EPA Intelligence Office report that disputes the Administrator's claims that the nature of the threats against him justify his expenditures. We are providing this information to you under confidential cover in an abundance of caution to protect any specific ongoing security efforts.

Administrator Pruitt has adopted numerous, unprecedented safety measures during his tenure at EPA: 24-7 security staffed by a detail of as many as 20 EPA officers, first-class flights ostensibly to more effectively protect the Administrator while travelling by air, and a security sweep of and biometric locks for the Administrator's office. The Associated Press reported this weekend that total security costs and associated travel expenses have already cost taxpayers \$3 million.^[1]

EPA spokesman Jahan Wilcox was quoted on April 6 as saying the Administrator and his family have faced an "unprecedented" number of death threats, a statement that was amplified the following day by President Trump who stated that "Scott Pruitt has received death threats because of his bold actions at EPA." In its March 21, 2018 response to a February 15, 2018 letter from Senators Tom Carper and Gary Peters about the Administrator's first-class flights, EPA wrote that its Protective Security Detail (PSD) "has identified specific, ongoing threats associated with the Administrator's air travel" and has relied on assessments from EPA's Office of Inspector General (EPA OIG) that the Administrator is facing more security threats than his predecessor. These assertions do not appear to be consistent with the non-public EPA documents we have obtained and enclose here.

For example, one document we are providing to you is an October 17, 2017 memorandum from William Stull, Special Agent on the Administrator's PSD, to Pasquale Nino Perrotta, the PSD's Special Agent in Charge. The memo purports to summarize available threat information regarding Administrator Pruitt, claiming that the EPA OIG data showed 16 threats directed against the Administrator, a 400% increase over threats in the previous fiscal year against then-EPA Administrator Gina McCarthy. A closer look at the description of many of these threats cast doubt that they appropriately justify the kinds of security measures Mr. Pruitt has sought, as they include:

- Protestors attempting to disrupt a speech given by Mr. Pruitt at a closed event.
- A social media post in which an individual "stated he is not happy with some of the Administrator's policies and wanted to express his displeasure."
- A postcard sent to the Administrator stating "CLIMATE CHANGE IS REAL!!! We are watching you. For the sake of our planet, our children & our grandchildren, will you be a reasonable man? I repeat, we are watching you!"
- An email stating: "Hi, I am considering dumping the old paint I just scraped off of my home outside your office door on Tuesday."
- A letter addressed to the Administrator that did not include "overt threatening language" from an incarcerated individual.

Notably, none of the incidents listed in this report concerned air travel and the only threat to Administrator Pruitt currently being prosecuted by a United States Attorney's office was a threat made to him <u>and</u> his predecessor Gina McCarthy.

_

^[1] Michael Biesecker, "AP sources: EPA chief spent millions on security and travel," *The Associated Press*, April 7, 2018 https://www.apnews.com/e2fdc3fe88be432792817795a34fda46.

https://twitter.com/realDonaldTrump/status/982770847046922240?ref_src=twsrc%5Etfw&

ref_url=https%3A%2F%2Fwww.cnn.com%2F2018%2F04%2F07%2Fpolitics%2Ftrump-pruitt-epa-tweet%2Findex.html ^[3] We wrote to EPA on March 6, 2018, raising numerous concerns about Mr. Perrotta, including potential self-dealing, and questioning his ability to run a security consulting business while employed at EPA. We also raised concerns about how Mr. Perrotta came to be Special Agent in Charge, which have been heightened in light of recent reporting by the New York Times that Mr. Perrotta's predecessor, Eric Weese, was removed from his position for when he "questioned Mr. Pruitt's desire to use flashing lights and sirens in his motorcade." *See* Eric Lipton, Kenneth P. Vogel, Lisa Friedman, "E.P.A. Officials Sidelined After Questioning Scott Pruitt," *New York Times*, April 5, 2018. We have not yet received a response from EPA to that letter.

The October 17 assessment also states that at the time there were "no known investigations underway concerning threats to Scott Pruitt" by the Joint Terrorism Task Force, and that an open-source review of social media uncovered "no evidence of a direct threat to the Administrator's life or physical well-being."

We have also obtained, and are providing to you, a document dated February 14, 2018, from EPA's Office of Homeland Security Intelligence Team titled "Preliminary Intelligence Enterprise Threat Assessment Review," which reviewed the PSD's October 17, 2017 memo. This memo concluded PSD's October 17 memo "*DOES NOT* employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the Administrator." (Emphasis in original.) The memo states that "[u]sing all source intelligence resources, **EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator**." (Emphasis in original.)

The February 2018 memo describes repeated efforts by EPA Intelligence officials to tell EPA OIG and EPA's senior leadership that "the 'threat' to the Administrator was being inappropriately mischaracterized by the Protective Service Detail (PSD) and the OIG" and notes that EPA Intelligence has "not seen any analysis to indicate why the Administrator would be at any greater risk on a commercial airline than any other passenger, or why a trained EPA PSD member could not protect the Administrator in a different location on the aircraft [than in the business or first-class section]."

EPA's Intelligence Team requested from the United States Secret Service a "Direction of Interest Query" on February 21, 2017 and on February 22, 2018 for potential threats against Administrator Pruitt. Neither query returned any "reports of behaviors of interest directed toward EPA Administrator Pruitt." We have provided you both United States Secret Service reports with this letter.

It is hard to reconcile the public statements of EPA, and the President, with these internal and external assessments. It may be that the materials we have been provided are incomplete and that EPA has additional information that justifies its public position. However, another view is that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the Administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the Administrator himself or others in the agency. Either way, the EPW Committee has a responsibility to look into these matters.

As you review this information, we urge you to remind EPA of its obligations under the Whistleblowers Protection Act, as amended. In our view, the documents provided to us may constitute evidence of a "violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety." As such, any adverse personnel action against a person providing this information to Congress is prohibited, and it is in our shared interest that these rights be protected.

We thank you for your prompt attention to this matter, and look forward to working with you.

	Sincerely,
Thomas R. Carper United States Senator	Sheldon Whitehouse United States Senator
United States Senator	Onlied States Senator

cc: Arthur A. Elkins, Jr., Inspector General, Environmental Protection Agency

^[4] One role of this office "is to identify potential vulnerabilities, and to provide information and guidance to mitigate potential violent actions evolving from inappropriate communications and/or threats that are directed at EPA protected persons and facilities." Apparently it has been excluded from assessments and decision-making related to the Administrator's security. This suggests a breakdown of communication and coordination within EPA that should also be an area of inquiry by the EPW Committee. [5] 5 U.S.C. 2302(b)

Rich Davidson				
Deputy Communications Director				
(202) 228-6291 (office)				
Ex. 6 Personal Privacy (PP) Cell)				

From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 4/11/2018 8:40:22 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Press [Press@epa.gov]

Subject: RE: Andrew Wheeler photo?

Attachments: CapPic.jpg

Attached

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:22 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: RE: Andrew Wheeler photo?

That would be great. Thanks.

From: Bowman, Liz < Bowman.Liz@epa.gov> Sent: Wednesday, April 11, 2018 4:21 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Press < Press@epa.gov>

Subject: RE: Andrew Wheeler photo?

We don't have an official one yet, as he hasn't been confirmed. But, we will check with Andrew Wheeler and see if he has one that he would be willing to provide.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:13 PM

To: Press < Press@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Andrew Wheeler photo?

Our understanding is that Andrew Wheeler is likely to be confirmed as deputy EPA administrator tomorrow. Does the agency have a hand-out photo of him to provide?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck

Public Key

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Seife v. EPA (1:19-cv-05190)

12.2.2019

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From: Feldman, Carole [CFeldman@ap.org]

Sent: 4/3/2018 2:12:42 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Biesecker, Michael [MBiesecker@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Pace, Julie [JPace@ap.org]; Press [Press@epa.gov]

Subject: RE: Fuel economy announcement

Jahan,

I've learned that this event is now an invitation-only event at EPA headquarters.

AP had made known its interest in covering the event. Why were we not included? Watching a livestream is not the same as being there in person.

Thanks, Carole

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Monday, April 02, 2018 6:40 PM

To: Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>; Press

<Press@epa.gov>

Subject: RE: Fuel economy announcement

You can watch it here: www.epa.gov/live.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, April 2, 2018 5:32 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov >; Feldman, Carole < CFeldman@ap.org >

Subject: RE: Fuel economy announcement

Jahan,

Still hoping for a straight answer on this. It shouldn't be a secret if the head of a federal cabinet agency is appearing at an official even organized with taxpayer funds.

Michael

From: Biesecker, Michael

Sent: Monday, April 02, 2018 3:39 PM

To: 'Wilcox, Jahan' < wilcox.jahan@epa.gov>; Press < Press@epa.gov>

Subject: RE: Fuel economy announcement

OK, Jahan. So what's the word?

From: Wilcox, Jahan < wilcox.jahan@epa.gov>

Sent: Monday, April 02, 2018 3:25 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Press < Press@epa.gov>

Subject: RE: Fuel economy announcement

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, April 2, 2018 3:12 PM

To: Press < Press@epa.gov >

Subject: Fuel economy announcement

For planning purposes, is the appearance by Administrator Pruitt at a Virginia car dealership for tomorrow still on? Details?

AP Video would like to be there for national television distribution.



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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Sent: 4/12/2018 4:01:51 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Chmielewski allegations

Anything on the substance of what he said, especially the claim that Pruitt lied about not knowing about the raises?

From: Wilcox, Jahan <wilcox.jahan@epa.gov> Sent: Thursday, April 12, 2018 11:54 AM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Chmielewski allegations

"We will respond to Members of Congress through the proper channel." - EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, April 12, 2018 11:37 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Cc: Press < Press@epa.gov>

Subject: RE: Chmielewski allegations

Adding press email

From: Biesecker, Michael

Sent: Thursday, April 12, 2018 11:37 AM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Chmielewski allegations

Liz, Jahan,

Please provide EPA's response to statements by Kevin Chmielewski recounted in letters to President Trump and Administrator Pruitt from House and Senate Democrats.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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Twitter: @mbieseck Public Key



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Sent: 3/9/2018 9:17:42 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Feldman, Carole [CFeldman@ap.org]; Hewitt, James [hewitt.james@epa.gov]; Press [Press@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]

Subject: RE: Go BIG Media Inc. contract

I was referring to the line in his bio, "Ron was an integral part of four national presidential conventions – both Democratic and Republican." But you may be right on his personal consulting clients, as opposed to the firm's. The firm also has Republican strategists on staff, including Phil Hardy (Labrador and Trump) and Adrian Bakke (Kasich), according to its website.

But, as noted in the OIG report, EPA grave a grant to Northwest Indian Fisheries Commission, which gave a sub grant to Swinomish Indian Tribe, which in turn hired Strategies 360. In contrast, EPA has recently used public money to directly hire two media consulting firms with strong GOP ties (though the first was cancelled amid public scrutiny). AP will include your quote, but will also include that additional context.

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Friday, March 09, 2018 3:41 PM

To: Biesecker, Michael <MBiesecker@ap.org>

Cc: Feldman, Carole <CFeldman@ap.org>; Hewitt, James <hewitt.james@epa.gov>; Press <Press@epa.gov>; Bowman,

Liz <Bowman.Liz@epa.gov>

Subject: Re: Go BIG Media Inc. contract

Also what Republican did Ron Doutzauer work for? I've spent 30 minutes searching through the FEC reports and have not seen anything yet, but will continue to look.

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Sent: Friday, March 09, 2018 3:24 PM

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Cc: Feldman, Carole < CFeldman@ap.org>; Hewitt, James < hewitt.james@epa.gov>; Press

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From: Wilcox, Jahan < wilcox.jahan@epa.gov >

Sent: Friday, March 09, 2018 3:01 PM

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Cc: Hewitt, James hewitt.james@epa.gov">hewitt.james@epa.gov; Press Press <a href="mailto:Press@ep

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Thanks,

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Hi Michael,

You can attribute to EPA Spokesman Jahan Wilcox:

"We had two options: one vendor was \$29,140 and the other was \$6,500, but ultimately this document was made in-house. This pales in comparison to the previous administration that paid \$570,000 to a Democratic campaign manager's PR firm to run EPA's What's Upstream campaign."

Thanks, James

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Sent: Friday, March 9, 2018 1:38 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov>

Subject: Go BIG Media Inc. contract

Jahan,

Please provide on-the-record comment on the \$6,500 contract to Go BIG Media Inc. to help produce EPA's year end report.

Thanks,

Michael

<image001.jpg>

Michael Biesecker

Reporter
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Twitter: @mbieseck

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<image001.jpg>

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Subject: Re: Go BIG Media Inc. contract

I understand you were in North Carolina and believe you are somewhat new to EPA.

That said the AP claims they call it both ways: so I am asking did AP report when the news of What's Up Stream first emerged? I cannot find the story - maybe AP did, maybe AP did not - but if AP did not report on What's UpStream when it first emerged, then why does AP find this newsworthy.

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James.

I need to spell out for our readers which individual you are referring to with "a Democratic campaign manager's PR firm." If you are referring to Strategies 360, which partner?

Thanks,

Michael

From: Hewitt, James < hewitt.james@epa.gov>

Sent: Friday, March 09, 2018 2:24 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox,

Jahan <<u>wilcox.jahan@epa.gov</u>>
Cc: Press <Press@epa.gov>

Subject: RE: Go BIG Media Inc. contract

Hi Michael,

You can attribute to EPA Spokesman Jahan Wilcox:

"We had two options: one vendor was \$29,140 and the other was \$6,500, but ultimately this document was made in-house. This pales in comparison to the previous administration that paid \$570,000 to a Democratic campaign manager's PR firm to run EPA's What's Upstream campaign."

Thanks, James

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, March 9, 2018 1:38 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov >

Subject: Go BIG Media Inc. contract

Jahan,

Please provide on-the-record comment on the \$6,500 contract to Go BIG Media Inc. to help produce EPA's year end report.

Thanks,

Michael

<image001.jpg>

Michael Biesecker

Reporter <u>mbiesecker@ap.org</u> Twitter: @mbieseck Public Key

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<image002.jpg>

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 3/9/2018 8:23:34 PM

To: Biesecker, Michael [MBiesecker@ap.org]

CC: Feldman, Carole [CFeldman@ap.org]; Hewitt, James [hewitt.james@epa.gov]; Press [Press@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]

Subject: Re: Go BIG Media Inc. contract

Thanks, but did the AP write on What's Upstream when the contract was first discovered, just like you are doing here to the Trump Administration?

On Mar 9, 2018, at 3:14 PM, Biesecker, Michael < MBiesecker@ap.org wrote:

http://www.chronline.com/news/audit-says-epa-funded-campaign-didn-t-violate-lobbying-rules/article 777e3c64-2ab5-11e7-be06-cf589cba3919.html

From: Wilcox, Jahan < wilcox.jahan@epa.gov >

Sent: Friday, March 09, 2018 3:01 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Hewitt, James < hewitt.james@epa.gov>; Press < Press@epa.gov>

Subject: Re: Go BIG Media Inc. contract

He worked for Democrats: Booth Gardner, Scoop Jackson and Maria Cantwell.

What Republican are you referring to?

Also did the Associated Press report on What's Upstream in 2016? I'm having a hard time finding the story.

On Mar 9, 2018, at 2:42 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

If you are referring to Ron Dotzauer, his bio says he worked for both Republicans and Democrats.

From: Wilcox, Jahan < wilcox.jahan@epa.gov >

Sent: Friday, March 09, 2018 2:39 PM

To: Biesecker, Michael < MBiesecker@ap.org>

Cc: Hewitt, James < hewitt.james@epa.gov >; Press < Press@epa.gov >

Subject: Re: Go BIG Media Inc. contract

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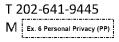
James,

| nanuc | |
|--|-------------------------------|
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| Fo: Wilcox, Jahan < <u>wilcox.jahan@epa.gov</u> > | |
| Cc: Press < <u>Press@epa.gov</u> >
Subject: Go BIG Media Inc. contract | |
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| Γhanks, | |
| Michael | |
| | |
| | |
| <image001.jpg></image001.jpg> | <image002.jpg></image002.jpg> |

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mbiesecker@ap.org Twitter: @mbieseck

Public Key



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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 3/9/2018 8:00:32 PM

To: Biesecker, Michael [MBiesecker@ap.org]; CFeldman@ap.org
CC: Hewitt, James [hewitt.james@epa.gov]; Press [Press@epa.gov]

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mbiesecker@ap.org

Twitter: @mbieseck

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 3/9/2018 7:38:40 PM

To: Biesecker, Michael [MBiesecker@ap.org]

CC: Hewitt, James [hewitt.james@epa.gov]; Press [Press@epa.gov]

Subject: Re: Go BIG Media Inc. contract

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Cc: Press < Press@epa.gov>

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Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

<u>Public Key</u>

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 3/9/2018 6:38:22 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Go BIG Media Inc. contract

Adding Liz, since Jahan is out.

From: Biesecker, Michael

Sent: Friday, March 09, 2018 1:38 PM **To:** 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Go BIG Media Inc. contract

Jahan,

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Thanks,

Michael

AP

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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck

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1100 13 St. NW, Suite 700

Twitter: @mbi Public Key T 202-641-9445
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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 3/8/2018 2:17:05 AM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]

CC: Feldman, Carole [CFeldman@ap.org]; Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Re: AP questions regarding ethics waivers

Thanks for the reply.

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From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Wednesday, March 7, 2018 8:25:38 PM

To: Biesecker, Michael; Pace, Julie **Cc:** Feldman, Carole; Press; Bowman, Liz

Subject: Re: AP questions regarding ethics waivers

Here is the answer to your question, which I hope you accurately report.

Neither Bill Wehrum nor Dave Ross own any assets that present financial conflicts. This fact is clear in their publically available financial disclosure reports. So, in the ethics agreement compliance, they can't answer "NO, I won't recuse" because that's not true. But it's also not true for them to say "YES, I will recuse" when they have nothing from which to recuse. So the only option is to say "not applicable" because they can answer neither yes or no to this question.

On Mar 7, 2018, at 4:15 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Are you declining to answer this?

Also, on the ethics agreements compliance certification reports filed by the agency, both Matt Leopold and Bill Wehrum declined to answered "yes" or "no" on question 6a, which says "I am recusing from particular matters in which I know I have a personal or imputed financial interest ..." Neither has ethics waivers that have been publicly disclosed. Why do they feel that question is "not applicable" to them (even though that was one of the options printed on the form).

From: Wilcox, Jahan < wilcox.jahan@epa.gov > Sent: Wednesday, March 07, 2018 4:03 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: AP questions regarding ethics waivers

"All EPA employees get ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, March 7, 2018 1:57 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov>

Subject: AP questions regarding ethics waivers

Liz, Jahan,

AP is reporting for today on ethics agreements and waivers for Trump administration officials. The story will specifically cite the ethics waiver requested EPA and granted by the White House to Erik Baptist, Jeffery Sands and Lee Forsgren. All worked as lobbyists on regulatory issues the waivers allowed them to work on at EPA.

Of 59 political appointees at EPA whose resumes were reviewed by AP, about half have strong industry ties. More than a dozen were registered lobbyists for industries or companies regulated by EPA.

Please provide comment on how, in the agency's view, does this not violate the spirt of President Trump's pledges to drain the swamp?

Also, on the ethics agreements compliance certification reports filed by the agency, both Matt Leopold and Bill Wehrum declined to answered "yes" or "no" on question 6a, which says "I am recusing from particular matters in which I know I have a personal or imputed financial interest ..." Neither has ethics waivers that have been publicly disclosed. Why do they feel that question is "not applicable" to them (even though that was one of the options printed on the form).

Thanks,

Michael



Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 1/19/2018 5:05:06 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Government Shutdown procedures for EPA

Thanks for the clarification. Please advise when you do have something current.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 12:02 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:46 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Pace, Julie < JPace@ap.org >; Feldman, Carole < CFeldman@ap.org >

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 1/18/2018 10:15:16 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Feldman, Carole [CFeldman@ap.org]; Pace, Julie [JPace@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Breen testimony before Energy and Commerce

Jahan,

Still hoping for a response on the questions below.

Absent response, AP will have to report that EPA's Press Office declined to say whether Administrator Pruitt agrees with Breen's testimony.

Thanks,

Michael

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 2:51 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>

Cc: 'Press' <Press@epa.gov>; 'Bowman, Liz' <Bowman.Liz@epa.gov>

Subject: RE: Breen testimony before Energy and Commerce

Actually, now that I check, the 2014 climate change adaptation plan doesn't appear to be available under the archived site either. Maybe you could direct me to the live link you are referring to.

This is not the current EPA website. To navigate to the current EPA website, please go to www.epa.gov. This website is historical material reflecting the EPA website as it existed on January 19, 2017. This website is no longer updated and links to external websites and some internal pages may not work.

https://19january2017snapshot.epa.gov/superfund/superfund-climate-change-adaptation_.html

Final OSWER Climate Change Adaptation Implementation Plan

https://www.epa.gov/sites/production/files/signpost/cc.html

This page is being updated.

Thank you for your interest in this topic. We are currently updating our website to reflect EPA's priorities under the leadership of President Trump and Administrator Pruitt.

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 2:44 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <IPace@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Breen testimony before Energy and Commerce

Jahan,

I am aware of the archived version of the EPA website as it appeared under the Obama administration on Jan. 19, 2017. But when you try to access the plan under the current version of the EPA website you get the message that the "This

page is being updated" with a link to your office's April 4 press release saying that and other pages are "undergoing changes that reflect the agency's new direction under President Donald Trump and Administrator Scott Pruitt."

But, again, the questions for which I am requesting an on-the-record response are: "Does the agency's top-level administration, including Administrator Pruitt and Superfund Task Force leader Kell Kelly agree with Breen's testimony? If so, what specific actions is EPA taking to help mitigate the risks to Superfund sites posed by the changing climate?"

Please answer those two questions directly.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Thursday, January 18, 2018 2:32 PM

To: Feldman, Carole < CFeldman@ap.org>; Pace, Julie < JPace@ap.org>; Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Breen testimony before Energy and Commerce

Michael, you are making deliberately false claims about our website. All the content from the previous administration is still easily accessible and publicly available-through the banner at the top of www.epa.gov. Nice try.

 "Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 1:47 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < <u>Press@epa.gov</u>>; Kelly, Albert < <u>kelly.albert@epa.gov</u>> **Subject:** RE: Breen testimony before Energy and Commerce

In addition, Breen testified that climate change poses a significant risk to Superfund sites and the "We have to respond to climate change, that's just part of our mission set." Further, Breen said the agency needs to account for the expected impacts of climate change in its planning for Superfund cleanups.

The Superfund Task Force report released last summer makes no mention of climate change or the risks posed by storm-induced flooding or sea level rise. Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites.

Does the agency's top-level administration, including Administrator Pruitt and Superfund Task Force leader Kell Kelly agree with Breen's testimony? If so, what specific actions is EPA taking to help mitigate the risks to Superfund sites posed by the changing climate.

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 12:02 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < <u>Press@epa.gov</u>>; 'kelly.albert@epa.gov' < <u>kelly.albert@epa.gov</u>> **Subject:** Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/18/2018 5:03:48 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Press [Press@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]

Subject: RE: Breen testimony before Energy and Commerce

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 12:02 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael

ΑP

Public Key

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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/17/2018 9:36:29 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: House Superfund hearing tomorrow Attachments: 1.18.18 Witness Invitation_Breen.pdf

"The House Committee on Energy and Commerce requested a witness for this hearing and EPA offered Principal Deputy Assistant Administrator Barry Breen from the Office of Land and Emergency Management, which oversees the CERCLA program." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 4:32 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: House Superfund hearing tomorrow

Jahan,

Again, the question was: Can you provide Kell Kelly is unable to represent the agency at the oversight hearing?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Wednesday, January 17, 2018 3:41 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: House Superfund hearing tomorrow

"The House Committee on Energy and Commerce requested a witness for this hearing and EPA offered Principal Deputy Assistant Administrator Barry Breen from the Office of Land and Emergency Management, which oversees the CERCLA program." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 3:18 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: House Superfund hearing tomorrow

Liz, Jahan,

Members of the House Energy and Commerce Committee say that Kell Kelly had been set to testify tomorrow as part of an oversight hearing Modernizing the Superfund Program. Last week, the committee received word from EPA that Kelly had an unavoidable schedule conflict. Can you guys provide anything about why he is unable to be there?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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ONE HUNDRED FIFTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 Rayburn House Office Building Washington, DC 20515-6115

Majority (202) 225-2927 Minority (202) 225-3641

January 11, 2018

Mr. Barry Breen
Principal Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Breen:

Thank you for agreeing to testify at the Subcommittee on Environment hearing on Thursday, January 18, 2017, at 10:15 a.m. in 2322 Rayburn House Office Building. The hearing is entitled "Modernizing the Superfund Cleanup Program."

The attached documents provide important details concerning the preparation and presentation of your testimony.

- The first attachment describes the form your testimony must take.
- The second attachment provides you with Electronic Format Guidelines that detail how to file testimony electronically.
- The third attachment provides you the Rules for the Committee on Energy and Commerce.
- The fourth attachment provides you with a Truth-in-Testimony Disclosure form and a Truth-in-Testimony instruction sheet.

Please be aware that, in accordance with the Committee's usual practice, witnesses have a right to be represented by counsel, who may advise the witnesses on their Constitutional rights, but cannot testify. In addition, hearings are open to audio, video, and photographic coverage by accredited press representatives only.

Mr. Barry Breen Page 2

If you have any questions concerning any aspect of your testimony, please contact Tina Richards or Mary Martin of the Energy and Commerce Committee staff at (202) 225-2927.

Sincerely,

Chairman

Subcommittee on Environment

Enclosures:

- (1) Form of Testimony
- (2) Electronic Format Guidelines
- (3) Rules for the Committee on Energy and Commerce
- (4) Truth-in-Testimony Disclosure form

From: Feldman, Carole [CFeldman@ap.org]

Sent: 1/5/2018 7:53:41 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Biesecker, Michael [MBiesecker@ap.org]; Pace, Julie [JPace@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: GAO review of threat to Superfund sites from natural disasters

Jahan,

I'm not sure what the issue is here.

We fairly paraphrased your quote and said you wouldn't comment on the report until it is complete. We didn't feel that we needed to repeat that GAO is doing a study.

Carole

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 05, 2018 2:44 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: GAO review of threat to Superfund sites from natural disasters

Just to be clear, I gave you this on-the-record statement: "GAO has agreed to study how prepared Superfund sites are for natural disasters and it would only be prudent to comment on their report after it's finished." – EPA spokesman, Jahan Wilcox

Why the Associated Press (or more specifically Michael Biesecker) can't copy and paste our on-the-record statement into their story is beyond me, but I do give you credit for "finding" a spokesperson willing to praise your work.

• THE ASSOCIATED PRESS: "EPA spokesman Jahan Wilcox declined Friday to comment on GAO's review before it is complete. A spokeswoman for U.S. Public Interest Research Group, an environmental organization, said the investigation was overdue. 'It's outrageous that we don't already know if Superfund sites are secure and, based on investigations by the AP and the EPA, it's probable there were releases after Hurricane Harvey,' Kara Cook-Schultz said. 'It's possible some of these sites are unsafe and it's past time for this investigation.'" (The Associated Press, 01/05/18)

From: Wilcox, Jahan

Sent: Friday, January 5, 2018 12:23 PM

To: 'Biesecker, Michael' < MBiesecker@ap.org>; Bowman, Liz < Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: GAO review of threat to Superfund sites from natural disasters

Please put: <u>press@epa.gov</u> on your inquiries to ensure our entire team has the inquiry.

On-the-record statement: "GAO has agreed to study how prepared Superfund sites are for natural disasters and it would only be prudent to comment on their report after it's finished." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 11:49 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: GAO review of threat to Superfund sites from natural disasters

Liz, Jahan,

Please provide comment on GAO's announcement that they will review the risks to human health posed to Superfund sites by natural disasters.

Thanks,

Michael



ASSOCIATED PRESS

1100 13 St. NW, Suite 700

Washington, D.C. 20005-4076

Michael Biesecker Reporter mbiesecker@ap.org

Twitter: @mbieseck Public Key

T 202-641-9445

M Ex. 6

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From: Block, Molly [block.molly@epa.gov]

Sent: 1/3/2018 9:11:06 PM

To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]

Subject: RE: FOR REVIEW: Chattanooga Times Free Press (Mark Pace) RE: Superfund Sites. (1/3)

Ok.

From: Lynn, Tricia

Sent: Wednesday, January 3, 2018 4:05 PM

To: Press < Press@epa.gov>

Subject: FOR REVIEW: Chattanooga Times Free Press (Mark Pace) RE: Superfund Sites. (1/3)

Background:

Reporter is citing a recent AP story that released data about toxic Superfund zones across the country. He (the reporter) is writing a local story in connection with it about sites in Chattanooga. He's spoken with R4, but had more general Superfund questions for OLEM. R4 has reviewed the response below. Reporter is Mark Pace (mpace@timesfreepress.com) of Chattanooga Times Free Press.

Suggested Response:

Deliberative Process / Ex. 5

From: Mark Pace [mailto:mpace@timesfreepress.com]

Sent: Tuesday, January 02, 2018 10:49 AM **To:** Lynn, Tricia < <u>lynn.tricia@epa.gov</u>>

Subject: Superfund sites

Hi Tricia,

I hope you enjoyed the holidays. The AP released data about toxic superfund sites in flood zones across the country. It's a followup on some of what they found while covering the flooding in Houston.

Two of the sites listed are in Chattanooga. I'm working on a local story to go alongside the AP coverage.

The two local sites are Tennessee Products/Coke Production site and the former Amnicola Dump. I talked with the regional office already but had a few followup questions for you. I'm not sure if you've released a statement on the findings, but if you have, feel free to pass that along. Thank you!

And here are the questions:

AP found that many superfund sites are in low-income communities, why is this? Is there any risk in living near these sites?

Why were superfund sites allowed to be built in flood zones?

I'm going to try to finish this up tomorrow, so if I could have a response by then, that'd be much appreciated.

Thanks, Mark

--

Mark Pace
Staff Reporter | Outdoors beat
Chattanooga Times Free Press
423-757-6659
mpace@timesfreepress.com

http://www.timesfreepress.com/staff/mark-pace/

From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 1/2/2018 4:23:03 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Press [Press@epa.gov]

CC: AO OPA Media Relations [AO_OPA_Media_Relations@epa.gov]; Lincoln, Larry [Lincoln.Larry@epa.gov]; Harris-

Young, Dawn [Harris-Young.Dawn@epa.gov]; Marraccini, Davina [Marraccini.Davina@epa.gov]

Subject: RE: Superfund sites

Will do.

From: Grantham, Nancy

Sent: Tuesday, January 02, 2018 11:21 AM

To: Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

Cc: AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>; Harris-

Young, Dawn Harraccini, Davina Marraccini, Davina Marraccini, Davina Marraccini, Davina Marraccini.Davina@epa.gov

Subject: RE: Superfund sites

Deliberative Process / Ex. 5

thanks ng

Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6

(mobile)

From: Lynn, Tricia

Sent: Tuesday, January 02, 2018 11:15 AM

To: Press < <u>Press@epa.gov</u>> **Subject:** FW: Superfund sites

Working with OLEM

From: Mark Pace [mailto:mpace@timesfreepress.com]

Sent: Tuesday, January 02, 2018 10:49 AM To: Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Superfund sites

Hi Tricia,

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Is there any risk in living near these sites?

Why were superfund sites allowed to be built in flood zones?

I'm going to try to finish this up tomorrow, so if I could have a response by then, that'd be much appreciated.

Thanks,

Mark

__

Mark Pace Staff Reporter | Outdoors beat Chattanooga Times Free Press 423-757-6659

mpace@timesfreepress.com

http://www.timesfreepress.com/staff/mark-pace/

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

Sent: 6/4/2018 2:51:20 PM

To: Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

All the links worked for me. Looks great!

From: Hewitt, James

Sent: Monday, June 4, 2018 10:47 AM

To: Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher

<beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

Deliberative Process / Ex. 5

From: Hewitt, James

Sent: Monday, June 4, 2018 10:45 AM

To: Konkus, John <<u>konkus.john@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Beach, Christopher <<u>beach.christopher@epa.gov</u>>; Block, Molly <<u>block.molly@epa.gov</u>>; Daniell, Kelsi <<u>daniell.kelsi@epa.gov</u>>; Ferguson,

Lincoln <<u>ferguson.lincoln@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>> **Subject:** FOR REVIEW//EPA Celebrates 500 Days of American Greatness - Preview

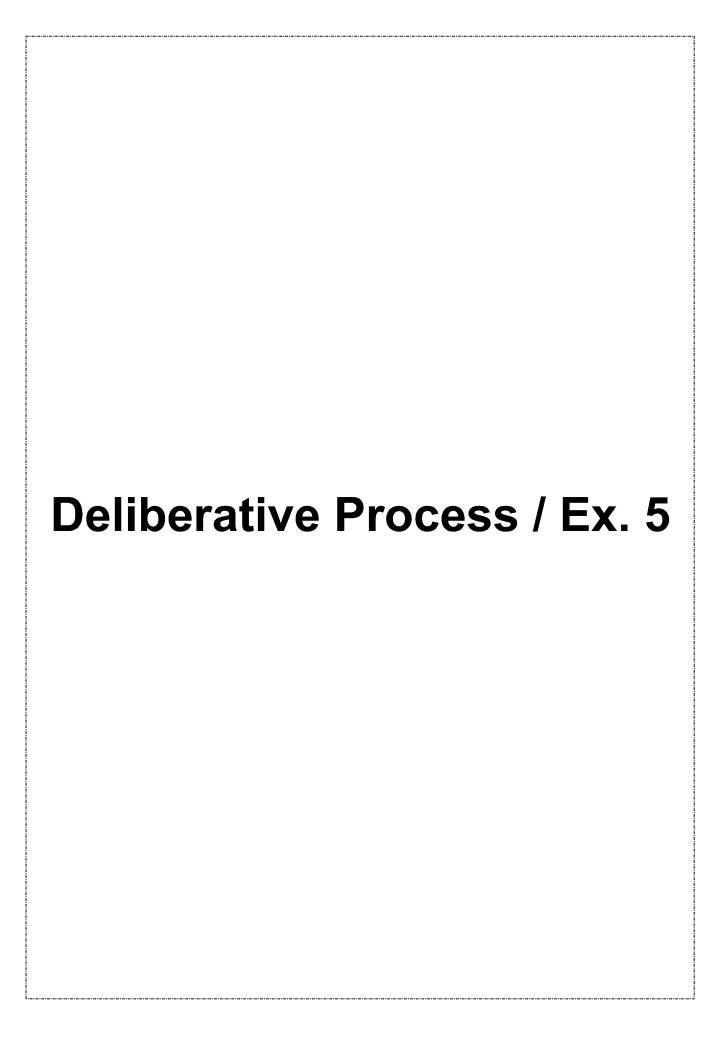
All, this is the finalized version with correct graphics/links/terminology. Please let me know if you have any edits. I think we should aim to send this out at 11:30am.

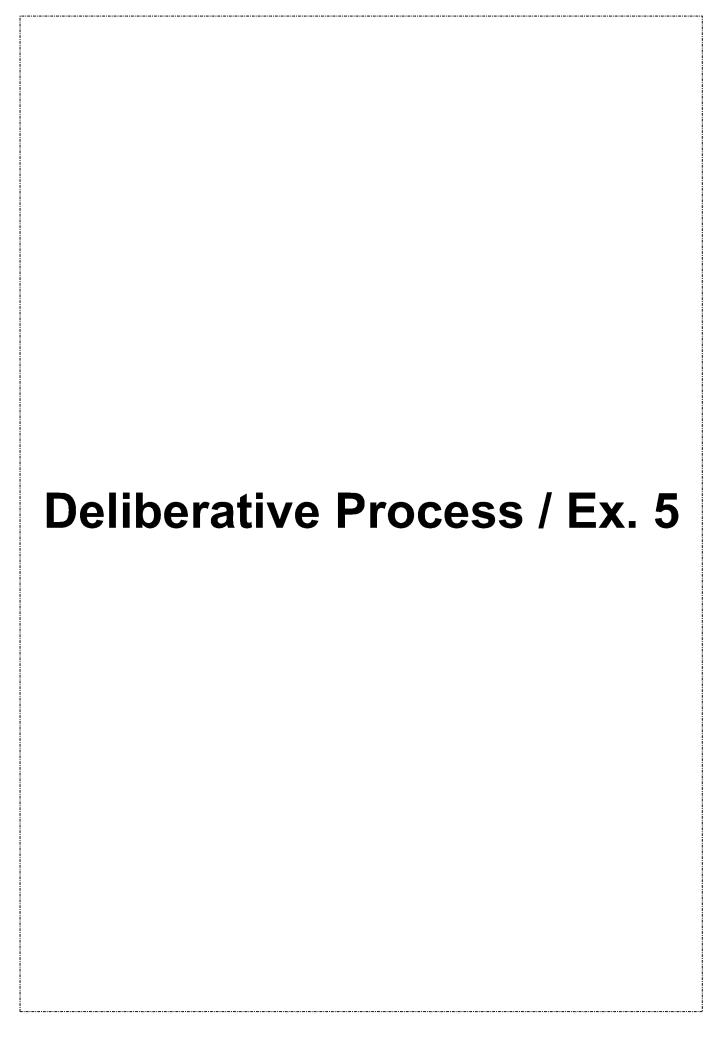
From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

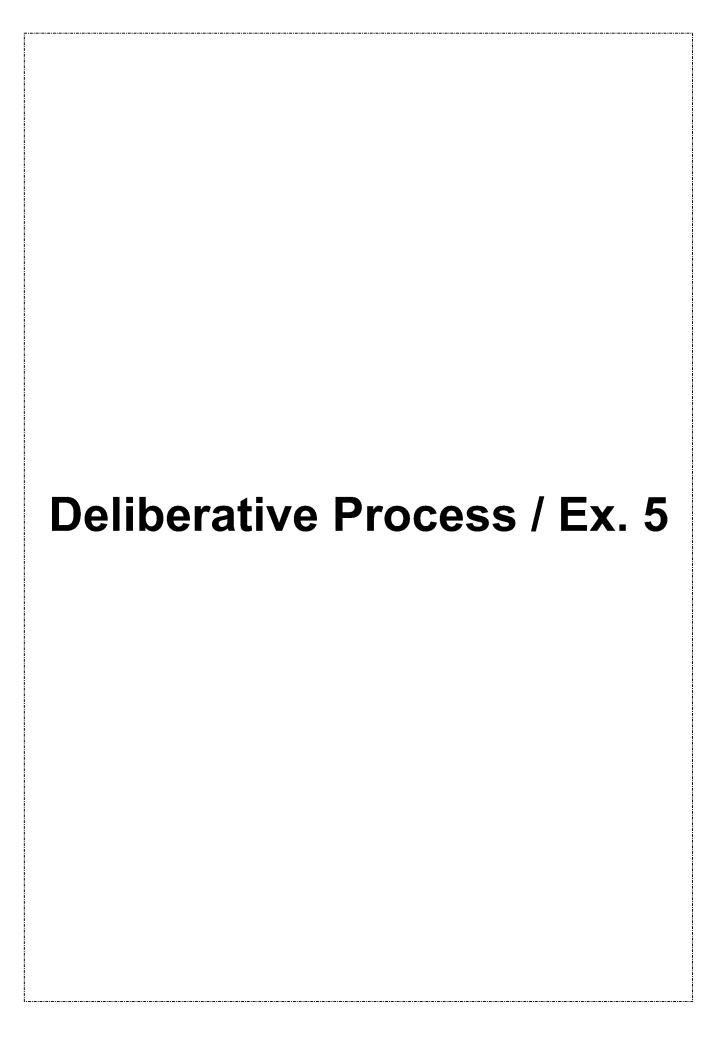
Sent: Monday, June 4, 2018 10:44 AM
To: Hewitt, James < hewitt.james@epa.gov>

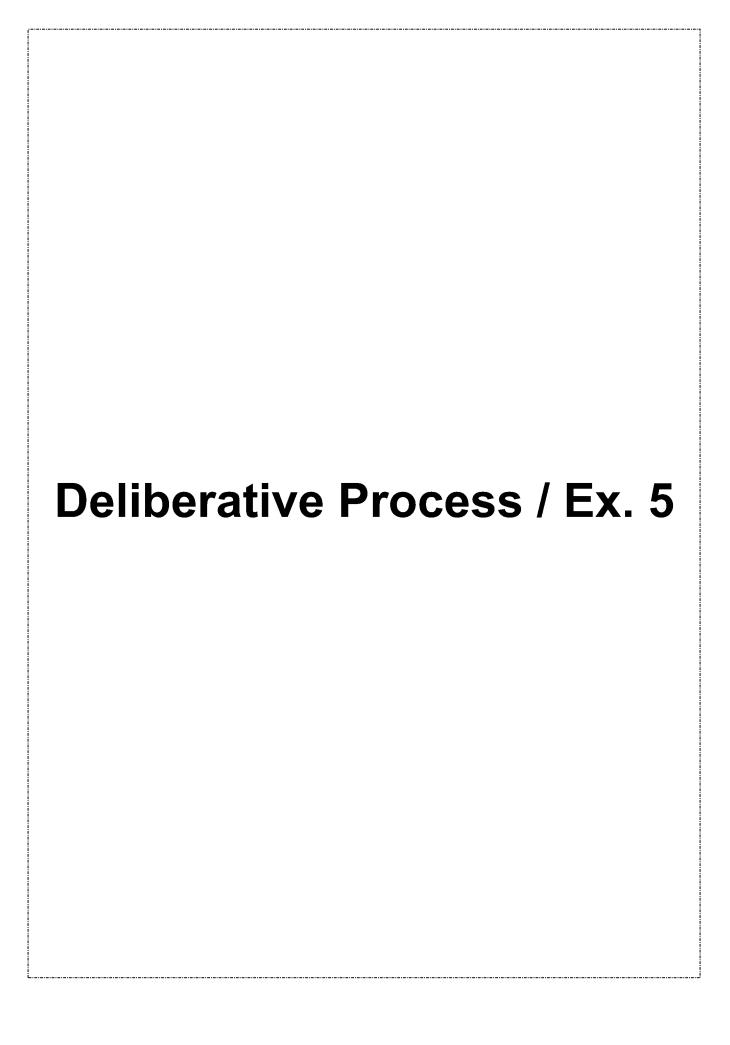
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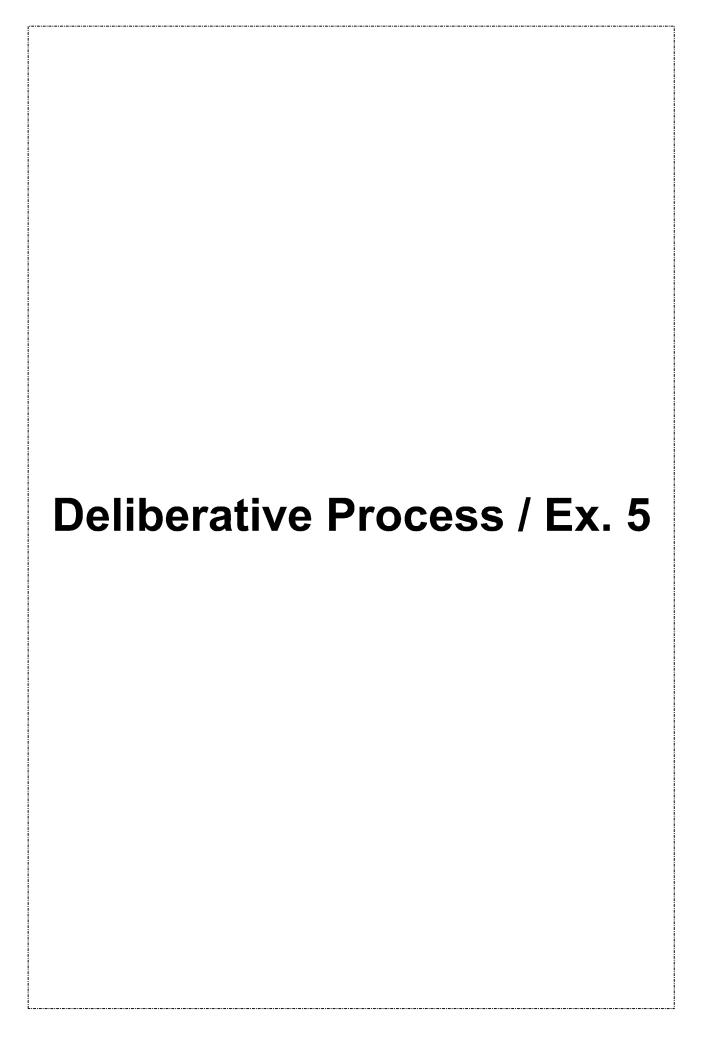
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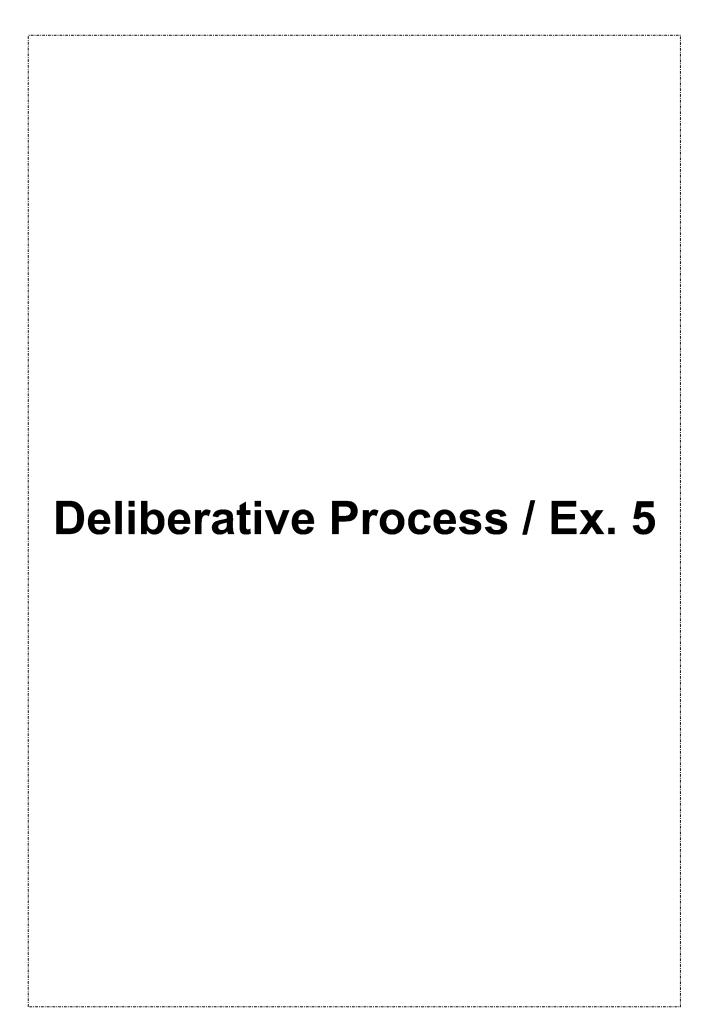


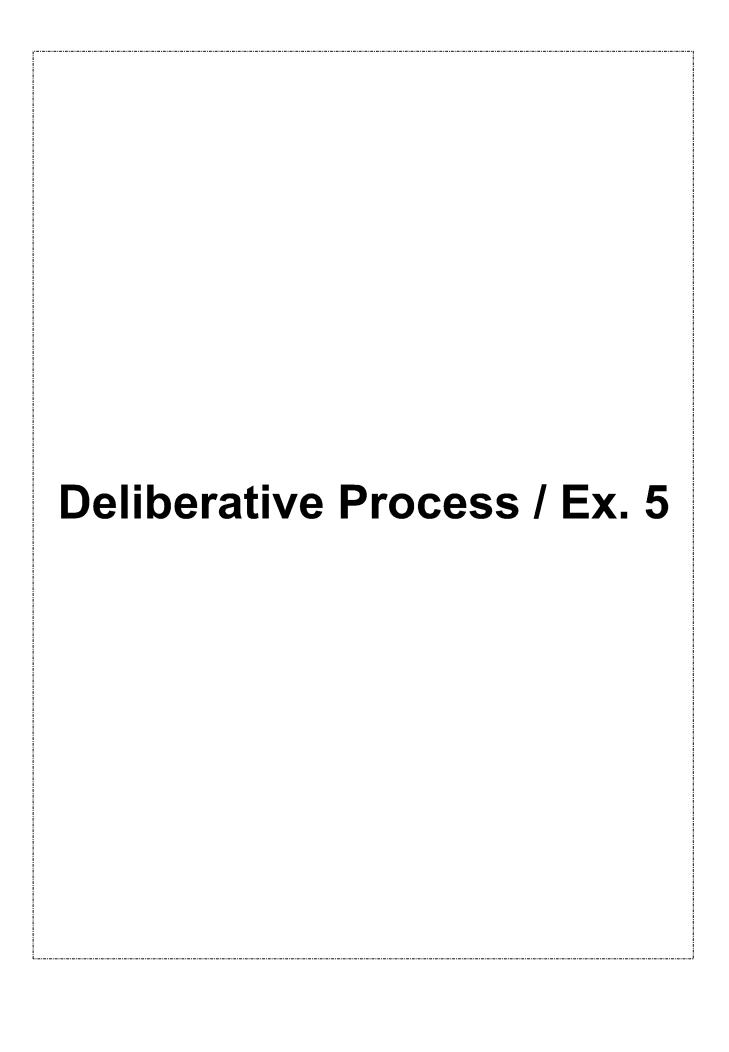


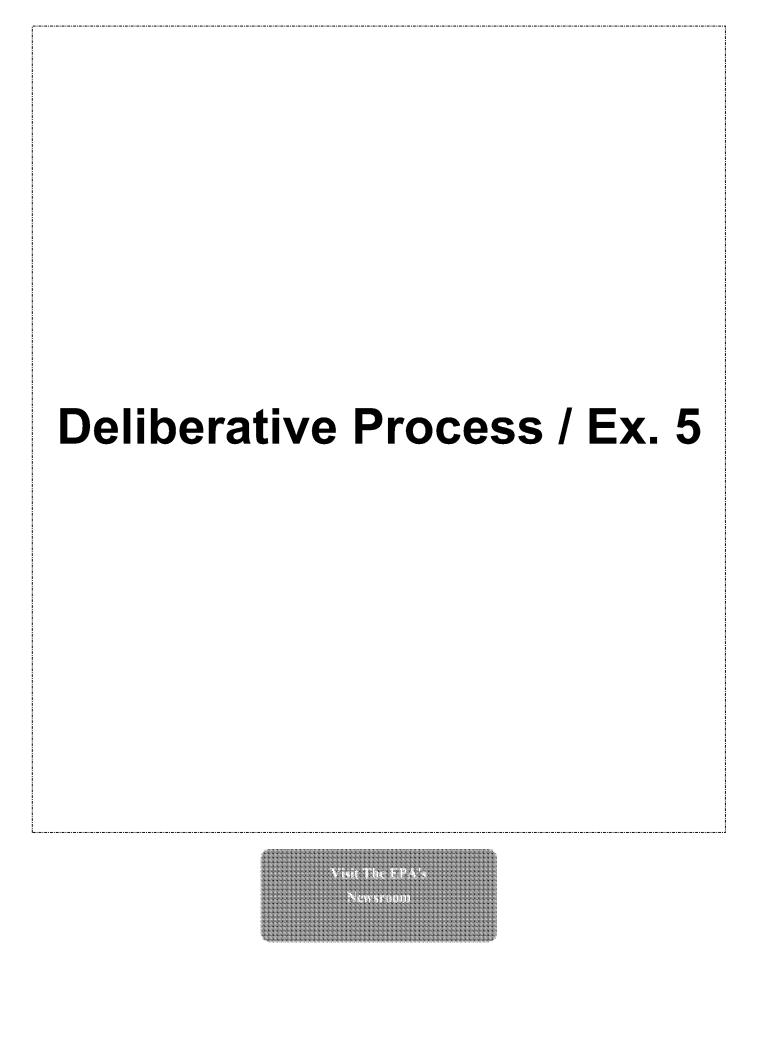














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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

Sent: 1/23/2018 4:35:57 PM

To: Hassell, Emily [hassell.emily@epa.gov]

Subject: RE: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Thank you!!!

From: Hassell, Emily

Sent: Tuesday, January 23, 2018 11:28 AM

To: AO OPA Individual News Clips <AO_OPA_Ind_News_Clips@epa.gov>

Subject: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Washington Post

https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e

At Superfund sites, Scott Pruitt could flip his industry-friendly script

By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly... The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

TRAVEL CLIPS

Pennsylvania Clips (July 16th)

PRINT:

[HYPERLINK "http://www.post-gazette.com/news/environment/2018/07/16/Acting-U-S-EPA-administrator-Andrew-Wheeler-wants-to-depoliticize-environmental-issues/stories/201807160182"]

Andrew Wheeler, the acting U.S. Environmental Protection Agency administrator, seems intent on setting a new tone for the embattled agency, but not a new direction for the industry-friendly Trump administration. "I would love to depoliticize environmental issues. I think we can find common ground with Democrats," he said, citing past bipartisan support for a diesel engine emission regulation, industrial site reclamation and the cleanup of abandoned mine sites. "There are definitely things we can do to clean up the environment in a bipartisan fashion and I want to reach out and work with those people who want to work with us." "When [the president] called me to be the acting administrator, he said keep cleaning up the air and cleaning up the water and keep deregulating. He said we can do all three, and I agree with him," said the low-key Mr. Wheeler, who spoke with members of the Post-Gazette editorial board Monday after touring a shale gas well site in Washington County and meeting with the Chamber of Commerce there.

[HYPERLINK "http://www.post-gazette.com/opinion/editorials/2018/07/23/Eyes-on-the-EPA-A-Washington-insider-takes-over-prescribing-basics/stories/201807180035"]

The Environmental Protection Agency has three goals: to keep the air clean, to maintain our waterways, and to regulate these things in a way that creates jobs. This is according to Andrew Wheeler, the Environmental Protection Agency's new acting administrator who many expect will be appointed to the job permanently. He knows Washington well, having started his career at the EPA before working as a Senate staffer. More recently, he was a lobbyist for the coal industry, which tarnishes him in the minds of many. In a meeting with the Post-Gazette's editorial board, Mr. Wheeler described his vision of an EPA that goes back to basics. This includes tackling the agency's long list of "Superfund sites," polluted areas that require significant cleanup efforts. He said he believes in climate change and that human activity has contributed to it.

RADIO:

[HYPERLINK "https://omny.fm/shows/kdka-afternoon-news/epa-acting-administrator-andrew-wheeler-visits-pa"] U.S. Environmental Protection Agency Acting Administrator joined Robert Mangino for his first broadcast interview since taking office to discuss his plans for the department in the future following former Administrator Scott Pruitt's resignation earlier this month. Wheeler says he chose to celebrate the 2018 update in New Bedford as a way to also recognize the city as a "Superfund success story." "With over 1,300 Superfund sites across the country, some of those sites have been languishing for decades and contamination is seeping into the land and water. We owe it to the American public to get these sites cleaned up and back to use," said Wheeler. "Today, we are proud to present the 2018 update to the Superfund Task Force Report, which highlights the numerous accomplishments achieved by EPA's hardworking employees. That work is of course in conjunction with the hardworking employees of the states and the local communities, and there's not a better Superfund example than New Bedford here today."

Massachusetts Clips (July 25th)

PRINT:

[HYPERLINK "http://www.southcoasttoday.com/news/20180725/in-new-bedford-visit-acting-epa-chief-says-he-buys-climate-change-but-seeks-to-deregulate"]

Scott Pruitt's temporary replacement as head of the U.S. Environmental Protection Agency, Andrew Wheeler, believes humans contribute to climate change but considers environmental deregulation one of his top priorities, he said Wednesday. He spoke on the New Bedford waterfront, outside an EPA plant that removes water from contaminated sediment as part of the New Bedford Harbor Superfund cleanup. Wheeler said he will continue to implement Pruitt's policies, which are the policies of President Donald Trump. Asked about his top priorities for the EPA nationally, Wheeler said that when Trump asked him earlier this month to assume the role of acting administrator, the president told him, "Keep cleaning up the air, keep cleaning up the water and continue to deregulate in order to create jobs." "I think we can do all three," he said.

RADIO:

[HYPERLINK "http://wbsm.com/top-epa-administrators-recognize-new-bedford-as-success-story/"] Top brass from the U.S. Environmental Protection Agency (EPA) paid a visit to the Whaling City on Wednesday to recognize accomplishments made by the agency in the reduction of risks to human and environmental health in areas across the country contaminated by hazardous materials. Acting Administrator of the EPA Andrew Wheeler and Regional Administrator Alexandra Dunn joined Mayor Jon Mitchell at the dewatering facility to celebrate the one year anniversary of the agency's Superfund Task Force Report, and to also present the 2018 update to the report.

[HYPERLINK "http://www.ripr.org/post/new-epa-acting-administrator-says-humans-contribute-climate-change" \l "stream/0"]

The Environmental Protection Agency's acting administrator, Andrew Wheeler, says humans are contributing to climate change, contrary to what his predecessor said. Former Administrator Scott Pruitt, who resigned earlier this month after a number of ethical controversies, said humans are not the primary cause of climate change, despite what scientists say. However, during an EPA event in New Bedford Wednesday, Wheeler responded to a reporter's question about whether he thinks humans are responsible for climate change. "I believe that climate change is real and that people contribute to climate change, yes," Wheeler said. Even so, Wheeler said he plans to continue easing environmental regulations to create jobs.

Iowa Clips (August 13th)

PRINT:

[HYPERLINK "https://www.desmoinesregister.com/story/news/politics/2018/08/13/andrew-wheeler-acting-epa-chief-iowa-state-fair-certainty-iowans-agribusiness-environmental-pruitt/983143002/"]

The acting head of the U.S. Environmental Protection Agency met Monday at the lowa State Fair with political leaders and agribusiness groups, promising to carefully consider their concerns about federal regulatory matters. Andrew Wheeler, the agency's interim administrator, said after the closed-door discussion that he wants to ensure more certainty in EPA's dealings with the public. One example, he said, is proposed changes to the definition of "Waters of the U.S." which will determine for farmers and other landowners what is and what is not a wetland. He said a proposal should be coming within the next 60 days "so you don't have to hire attorneys and consultants" to implement the environmental regulation.

[HYPERLINK "https://qctimes.com/news/local/government-and-politics/reassurances-but-no-promises-on-rfs-from-new-epa-chief/article_5b9c55ed-2977-53bf-bb58-1b5c527ea6e1.html"]

A visit from the federal government's top environmental protection chief Monday did not ease the concerns of lowa agricultural leaders. Andrew Wheeler, who last month took over as administrator of the U.S. Environmental Protection Agency, discussed myriad issues Monday in a meeting with top lowa government and industry leaders at the State Fair. The chief topic was the Renewable Fuel Standard, the federal requirement that a certain amount of corn-based ethanol be blended into the nation's fuel supply. Iowa leaders have expressed concern that various moves by President Donald Trump's administration has weakened the mandate, thus dampening the demand for ethanol and other biofuels.

[HYPERLINK "https://www.agri-pulse.com/articles/11341-administrator-wheeler-talks-rfs-wotus-at-iowa-state-fair"] Acting EPA Administrator Andrew Wheeler visited with government officials and agribusiness leaders during a closed-

door session at the Iowa State Fair in Des Moines on Monday, pledging to listen to their concerns about a wide variety of issues. In a press briefing after the session, he pledged to provide more transparency in decision making and more regulatory certainty from the federal agency he has been charged with leading after former administrator Scott Pruitt's resignation. Wheeler said he recognizes the importance of the Renewable Fuels Standard (RFS) to the entire country, as well as the Iowans who asked him to provide year-round access to E15. The agency would need to issue a Reid Vapor Pressure (RVP) waiver to allow for E15 sales during the summer months, something Wheeler says the agency is examining.

TELEVISION:

[HYPERLINK "https://www.weareiowa.com/news/local-news/new-epa-administrator-stops-by-iowa-state-fair/1366550140"]

Andrew Wheeler, the new Environmental Protection Agency Administrator, stopped by the lowa State Fair on Monday. His predecessor, Scott Pruitt, never made the journey to lowa. Today, he did his best to ease some ongoing concerns. "You have been someone who's been very accessible, very transparent in your thinking on all of these important issues," Rep. David Young (R) said. High praise for the new leader of the EPA. "We need to see higher blends of ethanol, with E-15 year round, we need these smaller refinery exemptions taken care, but we got the chance to take about that today," President of lowa Corn Growers Association Mark Recker said. As Wheeler stood beside lowa leaders, he says the President is very much in their corner.

[HYPERLINK "https://whotv.com/2018/08/14/acting-epa-administrator-says-trump-is-on-board-for-renewable-fuel-standard-expansion/"]

The Iowa State Fair is a premiere spot for politics. Monday, the acting head of the Environmental Protection Agency Andrew Wheeler said President Trump is on board with expanding the renewable fuel standard. "We're meeting with different groups around the country and different associations that represent the ethanol people...the refiners. trying to figure out what we can do to provide more certainty in the RFS program. But the important thing is the Trump Administration wants to move forward within the spirit and letter of the law," said Wheeler. Iowa corn and ethanol producers want the EPA to allow the use of e-15 fuel year-round. They claim an expansion would be a big help to them.

RADIO:

[HYPERLINK "https://www.radioiowa.com/2018/08/13/iowans-tell-epa-chief-president-made-e15-promise-its-time-to-deliver/"]

The U.S. Environmental Protection Agency's acting administrator met privately with lowa commodity group leaders at the lowa State Fair today — but Andrew Wheeler told reporters afterwards there is no decision yet on regulations that would allow a higher blend of ethanol to be sold year-round. "I can't tell you the timeline," Wheeler said late this afternoon. "We are mindful of needing to have a decision on that before the growing season next year." Wheeler seemed to indicate EPA guidelines that would approve the sale of E15 year-round would be coupled with some sort of accommodation for the oil industry. "We're certainly looking to see what we can do overall as a part of a larger effort to bring more certainty around the RFS and we're open to that and I've been meeting with different groups around the country — different associations that represent the ethanol people, the refiners — trying to figure out what we can do ," Wheeler said.

Michigan Clips (August 17th)

PRINT:

[HYPERLINK "http://www.monroenews.com/news/20180823/acting-epa-chief-encouraged-by-great-lakes-cleanup"] Andrew Wheeler toured Pointe Mouillee and other sites last week to see the work that's been done with the Great Lakes Restoration Initiative. The clean-up of the Great Lakes is important to Andrew Wheeler. The acting administrator of the Environmental Protection Agency visited Monroe County last week with U.S. Rep. Tim Walberg, R-Tipton, to see the effects of the Great Lake Restoration Initiative. "(The visit) was to see how the Great Lakes have cleaned up and it is really encouraging to see the work that has been done," Wheeler told The Monroe News Wednesday. "There have been

a lot of lessons learned and what is being done in the Great Lakes could be used to deal with other issues including those in Ohio with the Maumee River. It was a very encouraging visit." In March, President Donald Trump's \$1.3 trillion spending measure included an increase in funds to protect the Great Lakes. The budget included nearly \$448 million for the EPA's programs benefiting regional waters degraded by pollution, overdevelopment and exotic species.



[HYPERLINK "https://www.toledoblade.com/news/nation/2018/08/17/Acting-U-S-EPA-Administrator-Wheeler-says-the-GLRI-is-safe-and-the-Chesapeake-Bay-TMDL-is-working/stories/20180817152?abnpageversion=evoke"] The \$300 million-a-year Great Lakes Restoration Initiative is one Obama-era program that will survive the Trump Administration if the U.S. Environmental Protection Agency's new acting administrator, Andrew Wheeler, gets his way. And, from Mr. Wheeler's perspective, Chesapeake Bay's highly aggressive cleanup strategy — a strategy that mirrors the sort of regulations some U.S. EPA critics and others want to see implemented for western Lake Erie — has been a success. But while Mr. Wheeler agreed the Chesapeake Bay offers solid lessons for western Lake Erie, he would not comment on a pending lawsuit seeking similar environmental protections here, one which seeks to have this area ultimately placed under what's known as a total maximum daily load program, or TMDL.

Kentucky Clips (August 24th)

PRINT:

[HYPERLINK "https://www.kentucky.com/news/politics-government/article217255055.html"]

The coal industry should benefit from President Donald Trump's proposal to replace an emissions rule that put coal-fired power plants at a disadvantage, the head of the U.S. Environmental Protection Agency said Friday during a visit to Kentucky. The earlier Obama-era plan would have forced many coal-fired power plants out of business, said acting EPA Administrator Andrew Wheeler. Coal plants have long been key customers for coal mined in Kentucky. "This was a rule that really hurt the state of Kentucky," Wheeler said of the Obama plan.



[HYPERLINK "https://www.kentucky.com/news/business/article217336700.html"]

President Donald Trump's top environmental official has headed to Kentucky to tout a new plan aimed at aiding the coal industry. According to the Lexington Herald-Leader, acting Environmental Protection Agency Administrator Andrew Wheeler visited the Clark Energy Cooperative headquarters Friday in Winchester. The proposal aims to replace ex-President Barack Obama's signature effort to slow global warming by limiting emissions from coal-fired power plants. Trump's plan broadly increases authority for states to decide how to regulate coal plants.

RADIO:

[HYPERLINK "http://www.weku.fm/post/epa-acting-administrator-talks-about-energy-rule-during-central-kentucky-visit"]

The acting Environmental Protection Agency Administrator says the Trump administration's proposed clean energy rule won't adversely affect air quality. Andrew Wheeler made his remarks during a stop in Winchester this afternoon with Congressman Andy Barr. Wheeler says the new plan doesn't pick energy provider winners and losers, something he contends the Obama administration's clean power plan did. "President Trump asked us last year to take a look at the clean power plan, to revise it, repeal it, replace it. And that's what we did this week with a plan that defers more to the states and works more cooperatively with the states," said Wheeler.

[HYPERLINK "http://www.wuky.org/post/acting-epa-head-defends-trump-energy-rule-during-kentucky-visit" \l "stream/0"]

Acting Environmental Protection Agency head Andrew Wheeler made a swing through Kentucky Friday to promote the Trump administration's newly-unveiled energy policy overhaul, which grants states more leeway in setting emissions standards for coal-fired power plants. Fresh off the signing of the administration's Affordable Clean Energy Rule on Monday, acting EPA Administrator Wheeler appeared alongside 6th District Congressman Andy Barr at Clark Energy in Winchester on Friday. In opening remarks, Barr echoed colleagues, like Senator Mitch McConnell, who sounded dire warnings about skyrocketing utility costs under the Obama-backed plan.

[HYPERLINK "https://whas.iheart.com/featured/terry-meiners/content/2018-08-24-a-conversation-with-acting-epa-administrator-andrew-wheeler/"]

Acting EPA Administrator Andrew Wheeler talked about touring Kentucky with Andy Barr, the Affordable Clean Energy (ACE) rule and possible resistance to it, coal and its future in the Commonwealth and beyond, single-use straws, and more.

[HYPERLINK "http://www.wkdzradio.com/2018/08/24/acting-epa-administrator-talks-with-kentucky-farmers/"] The Environmental Protection Agency is listening to concerns of Kentucky Farmers and will to work with them. That was the message from Acting EPA Administrator Andrew Wheeler who met with farmers during a Kentucky Farm Bureau

roundtable discussion Friday at the Kentucky State Fair. Administrator Wheeler says there is a willingness in the EPA to work with farmers concerning the Waters of the US Rule.

TELEVISION:

[HYPERLINK "http://www.wdrb.com/clip/14586046/head-of-epa-visits-kentucky-state-fair"]

[HYPERLINK "http://www.wkyt.com/content/news/Acting-EPA-administrator-pushes-for-coal-friendly-emissions-standards-491667631.html"]

Friday, the Environmental Protection Agency made a stop in Kentucky. Just three days prior, it made an announcement that would directly impact Kentuckians. The Environmental Protection Agency is pushing to allow states to set their own emissions standards for coal-powered plants. "It's not something the EPA had ever been in the business of before and quite frankly I don't think the EPA should be in that business," Andrew Wheeler, the EPA's acting administrator, said. "I don't consider this a rollback because the Clean Power Plan never actually went into effect."

[HYPERLINK "http://mycn2.com/politics/epa-rolls-out-new-plan-for-energy-regulations-but-some-have-concerns"] Tuesday, the EPA revealed its new plan called the Affordable Clean Energy Rule . It gives states emission guidelines to use when they are making plans for how to limit greenhouse gases at coal fired utility plants, however it allows each state to make its own plan for pollution regulation. The United States Energy Information Administration calculated that last year 79 percent of Kentucky's energy generation was coal fired. That's why Congressman Andy Barr says this is a good plan for Kentucky. The 6th District Congressman remarked, "I appreciate the Administration and this EPA issuing a new more workable that will ensure electric grid reliability, that will ensure affordable energy and that will allow the United States to continue to make advancements to our environment but do so in a way that makes sense for consumers of electricity."

Ohio Clips (August 28th)

PRINT:

[HYPERLINK "https://www.zanesvilletimesrecorder.com/story/news/2018/08/29/new-epa-rule-benefit-unclear-conesville/1124631002/"]

A week after announcing the new Affordable Clean Energy rule, Environmental Protection Agency Acting Administrator Andrew Wheeler stopped in Zanesville to meet with local officials regarding the new rule. The nicknamed ACE rule replaces the Obama administration's Clean Power Plan, which seeked to set requirements on carbon dioxide reduction. The plan never went into effect, after 27 Republican-led opposed to the limits challenged the standards, halting the plan with a U.S. Supreme Court stay.

[HYPERLINK "https://dailycaller.com/2018/08/29/andrew-wheeler-coal-epa/"]

The Trump administration's proposed replacement for the Obama-era Clean Power Plan (CPP) will "level the playing field" for struggling coal plants, according to Environmental Protection Agency (EPA) Administrator Andrew Wheeler. "This will provide more flexibility to states — Obama's plan was more social engineering. We're returning to the core basics of the Clean Air Act by working more cooperatively with states," Wheeler told an audience at an event by the Ohio Chamber of Commerce, according to The Hill.

[HYPERLINK "http://www.dispatch.com/news/20180828/acting-epa-head-andrew-wheeler-says-proposed-clean-air-changes-allow-states-more-leeway"]

The EPA's proposed plan, known as the Affordable Clean Energy rule, is meant to take the place of the Obama Administration's Clean Power Plan. Acting EPA Administrator Andrew Wheeler offered additional insight Tuesday into the federal agency's recently proposed energy rules, emphasizing the importance of allowing states to set their own efficiency plans. Speaking in Columbus alongside newly elected U.S. Rep. Troy Balderson, a Zanesville Republican representing Ohio's 12th Congressional District, Wheeler said the U.S. Environmental Protection Agency will issue

efficiency guidelines to states for each type of power plant, which the states will use to "set the specific efficiency requirements on a plant-to-plant basis."

[HYPERLINK "https://www.bna.com/aging-power-plants-n73014482066/"]

States could prolong the life of aging and less efficient power plants if they so choose under the EPA's new proposed carbon emissions rule, Acting Administrator Andrew Wheeler said. Wheeler touted the agency's Affordable Clean Energy proposal, which would replace the Obama-era Clean Power Plan, during a visit to Columbus, Ohio, Aug. 28. While the Clean Power Plan set statewide carbon dioxide reduction requirements, the latest proposal would set federal guidelines for reductions and then give states three years to design their own requirements for each power plant. That will help aging power plants, Wheeler said, because states can regulate each plant individually, and not based on the Obama administration's more stringent standards.

[HYPERLINK "http://thehill.com/policy/energy-environment/404006-epa-head-new-coal-plant-plan-will-level-the-playing-field"]

Environmental Protection Agency Administrator Andrew Wheeler on Tuesday said that the administration's newly proposed alternative to the Obama-era Clean Power Plan (CPP) will "level the playing field" for coal plants in an era where renewable fuels and liquid natural gas are growing in prominence. Speaking at an Ohio Chamber of Commerce event, Wheeler praised Trump's new plan, called the Affordable Clean Energy rule, for the flexibility it gives to states to regulate their own coal-fired power plants. "This will provide more flexibility to states — Obama's plan was more social engineering. We're returning to the core basics of the Clean Air Act by working more cooperatively with states," Wheeler said at the event.

TELEVISION:

[HYPERLINK "https://www.nbc4i.com/news/politics/ohio-statehouse-newsroom/president-trump-s-affordable-clean-energy-rule-touted-and-attacked-in-columbus/1402328091"]

Visiting Columbus Tuesday, acting administrator for the U.S. Environmental Protection Agency Andrew Wheeler promoted President Trumps new Affordable Clean Energy (ACE) rule. The plan replaces the Obama-era Clean Power Plan (CPP) that failed to get off the ground due to litigation. Back in 2014, the Obama administration proposed the CPP which would have forced high emission coal-fired power plants to upgrade their power generators to use low-emission or zero-emission generators instead. It effectively sought to end the use of coal as an energy source, but opponents to that filed lawsuits against the measure. More than two dozen states and other interested parties banded together to oppose the plan. The CPP would have reduced greenhouse gasses at the cost of expensive upgrades that threatened to close coal fire power plants but the plan was ultimately put on hold by the U.S. Supreme Court.

[HYPERLINK "https://www.whiznews.com/2018/08/epa-administrator-visits-zanesville-muskingum-chamber-commerce/"]

Environmental Protection Agency acting administrator Andrew Wheeler visited Ohio on Tuesday to promote the Trump administration's proposed affordable clean energy rule. The new rule would replace the clean power plan and establish emission guidelines for states to develop plans to reduce greenhouse gas emissions. Wheeler met with the Columbus Chamber of Commerce's Energy and Environment Committee and the Zanesville-Muskingum Chamber of Commerce to discuss this and other agency-related issues. He also visited with Zane State College environmental studies students to discuss environmental issues.

Montana Clips (September 6-7th)

RADIO:

[HYPERLINK "http://www.mtpr.org/post/butte-acting-epa-chief-says-superfund-remains-priority"] The head of the U.S. Environmental Protection Agency visited the Superfund sites in Butte and Anaconda Friday. The last time the head of the agency did so was 28 years ago. Andrew Wheeler was named acting administrator of the EPA in July, following the departure of Scott Pruitt amid ethics scandals. People in Butte

and Anaconda were happy when Pruitt announced that the Trump administration was prioritizing Superfund cleanups, and that their communities were at the top of the priority list. Today, Acting Administrator Wheeler said that hasn't changed. "Superfund is a priority for the administration, for President Trump, and it's a priority for myself as well."

[HYPERLINK "http://www.mtpr.org/post/epa-chief-visits-butte-anaconda-promises-cleanups-complete-2024-25"] "I'm very happy to be here. This is a historic occasion," U.S. Senator Steve Daines said at a press conference in Butte Friday morning. He was introducing the head of the U.S. Environmental Protection Agency, who, at his invitation, was visiting Superfund sites in Butte and Anaconda. The last time the top boss of the EPA did that was 28 years earlier. "I'm sorry I didn't get here sooner, but I got here within the first two months of being on board as the acting administrator, and I'm very happy to be here," said Andrew Wheeler. Wheeler's all-day visit included tours of Superfund sites in Butte and Anaconda, and a couple of meetings with state and local officials and some community activists. He heard more than once that they've felt neglected or forgotten by the EPA since the sites were added to the Superfund cleanup list in 1983.

PRINT:

[HYPERLINK "http://m.startribune.com/epa-boss-to-visit-polluted-mining-industry-sites-in-montana/492705371/"] The head of the U.S. Environmental Protection Agency visited two contaminated mining sites in Montana on Friday as the agency faces pressure to speed cleanup work that's dragged on for more than three decades. Acting EPA Administrator Andrew Wheeler visited Butte and Anaconda with Republican U.S. Sen. Steve Daines. "Superfund is a priority for the administration, for President Trump, and it's a priority for myself as well," Wheeler said during his visit, Montana Public Radio reported. Wheeler also said the cleanup plans for both sites are works in progress and community input could still shape the final agreement.

[HYPERLINK "https://mtstandard.com/news/local/acting-epa-administrator-andrew-wheeler-makes-historic-visit-to-butte/article 8e885c98-daf5-5f19-b9d8-316cb0b67e47.html"]

Andrew Wheeler, acting administrator for the Environmental Protection Agency, made a historic visit to the Mining City and the Smelter City Friday. Wheeler broke a 28-year streak Friday when he, in the top position at EPA, visited both Butte and Anaconda. Before Friday, William Reilly was the last EPA administrator to visit both the Mining City and the Smelter City. Reilly came in 1990 at the behest of then-Sen. Max Baucus. Butte and Anaconda and the Clark Fork River Superfund cleanup make up the largest Superfund complex in the nation. Many in Butte and Anaconda said Friday during Wheeler's visit that it was about time the towns got this level of attention and it's time to "get 'er done" and get Butte and Anaconda cleaned up and delisted.



[HYPERLINK "https://mtstandard.com/opinion/editorial/standard-view-administrator-visit-was-a-big-plus-now-let/article 7bec8be2-b180-5761-8ef2-487dd28d08ac.html"]

Butte and Anaconda were the center of the EPA's focus Friday. With Andrew Wheeler, the agency's acting administrator, visiting both towns, it was heartening to listen to people in the communities who have cared about the cleanup speak so forcefully and eloquently to Wheeler. In Butte, that meant passionate, intelligent people making the case for why the agency, Atlantic Richfield, the state of Montana and Butte-Silver Bow all must redouble their efforts to make sure the cleanup we get is the cleanup we need and deserve. First, thanks are in order. We are grateful to: Wheeler, Regional Administrator Doug Benevento and their staffs, along with Sen. Steve Daines and his, for making this meeting happen.

TELEVISION:

[HYPERLINK "https://kbzk.com/news/montana-news/2018/09/08/acting-epa-chief-tours-butte-anaconda-superfund-sites/"]

Acting EPA Administrator Andrew Wheeler visited the Butte-Anaconda Superfund on Friday after being invited by Senator Steve Daines. Daines invited city, state, and federal officials to work on a plan for the clean-up process. "These communities have been ignored way too long," said Daines. Daines' main push during the tour and visit was less talk and more action. He believes the first step is coming to a meeting of the minds, which is why he extended an invite to tour the Superfund to local officials as well as Wheeler. Wheeler said the last time an EPA head came to both Anaconda and Butte was 1990. He hopes by visiting and learning more about the clean-up that conversation will open up not only to him but to the community. "It's not just cleaning up a site in a vacuum," said Wheeler. "We have to make sure we are working with the community groups and make sure there is a buy-in among the community people and make sure we are communicating any risk that occurs during the clean-up process."

[HYPERLINK "https://nbcmontana.com/news/local/acting-epa-administrator-pledges-butte-anaconda-superfund-cleanup-by-2025"]

The Berkeley Pit is the largest Superfund site in the U.S. and has collected a toxic body of water that stretches a mile across and 1,780 feet in depth. Locals say the pit has been collecting toxic water longer than the mine was in operation, and it's about time the former open-pit copper mine gets cleaned up. Local officials and U.S. Sen. Steve Daines welcomed acting EPA Administrator Andrew Wheeler in Butte Friday to get a firsthand look at both the Butte and Anaconda Superfund sites. At two months into his tenure, Wheeler's visit marked the first time in over 20 years that an EPA administrator paid a visit to Butte or Anaconda.

[HYPERLINK

"http://mms.tveyes.com/transcript.asp?StationID=5310&DateTime=9/7/2018%206:02:10%20PM&playclip=true&pbc=s earch%3a%2b(andrew+wheeler)"]

Colorado Clips (September 8th)

RADIO:

[HYPERLINK "https://www.cpr.org/news/story/epa-chief-wheeler-on-rocky-flats-it-is-safe"] On Sunday, acting Environmental Protection Agency administrator Andrew Wheeler toured soon-to-be-opened trails on the buffer zone outside a former nuclear weapons production facility. "It is safe," Wheeler said of the 10.3 miles of trails at Rocky Flats National Wildlife Refuge. "We've had a number of different scientists come out here," he added. "We've done a lot of monitoring over the years. We believe it's protective of human health."

[HYPERLINK "https://www.iheart.com/content/2018-09-09-epa-acting-administrator-andrew-wheeler-joins-ross-for-a-conversation/"]

PRINT:

[HYPERLINK "http://westernwire.net/exclusive-wheeler-touts-superfund-priorities-in-west-epa-need-for-risk-communication/"]

The U.S. Environmental Protection Agency will continue to prioritize Superfund clean ups, transparent and effective risk communications, and listening to communities said EPA's Acting Administrator, Andrew Wheeler. Wheeler met with EPA Region 8 staff and employee leadership on Monday in Denver. Afterwards, he sat down with Western Wire to discuss his Region 8 tour of Superfund sites and the agency's need for better risk communications with communities affected by decades-long clean-up efforts and for communities just beginning to deal with new environmental issues. "I had a really good meeting with our Region 8 staff today. We have a lot of hard-working, dedicated employees in this region and I think they're making a difference," Wheeler said. EPA's Region 8 serves Colorado, Montana, North and South Dakota, Utah, Wyoming, and 27 Tribal Nations.

DC REGIONAL CLIPS

SAFE Rule (August 2nd-3^{rd)}

PRINT:

[HYPERLINK "https://www.freep.com/story/money/cars/2018/08/02/epa-california-fuel-standards/890111002/"] The Trump administration official leading the effort to change — and possibly freeze — fuel economy standards says he isn't looking for a fight with California, legal or otherwise but has an obligation to revisit Obama-era standards the data

suggest cost money and lives. In an interview with the Free Press on Thursday, acting Environmental Protection Agency Administrator Andrew Wheeler said that data compiled by his agency suggest that the existing fuel economy standards could end up costing consumers about \$500 billion over the next half-century and result in 1,000 extra traffic deaths a year.

[HYPERLINK "https://www.dallasnews.com/news/politics/2018/08/03/epa-chief-seeks-allay-worries-automakers-like-toyota-relaxed-fuel-standards-will-split-us-market"]

Andrew Wheeler, acting Environmental Protection Agency administrator, on Friday sought to allay automakers' fears that the Trump administration's plan to freeze fuel efficiency standards could end up creating different rules in different U.S. states. "We certainly don't want that to happen," he told The Dallas Morning News. "We want a 50-state standard." That pledge holds deep significance for automakers like Toyota — which has its North American headquarters in Plano and a major plant in San Antonio — now that the EPA has unveiled its formal proposal to weaken one of President Barack Obama's marquee proposals to fight climate change.

[HYPERLINK "http://www.dispatch.com/news/20180803/acting-epa-boss-says-lower-mpg-standards-will-help-carbuyers"]

The acting administrator of the U.S. Environmental Protection Agency defends a White House decision to curb stringent new standards on fuel economy mandated by the Obama White House, saying the decision will allow more people to buy fuel-efficient new cars, benefiting both the economy and the environment. The new preferred proposal — which acting EPA administrator Andrew Wheeler stressed is just a proposal, still subject to comment and revision — would cap the goal of auto efficiency at 37 miles per gallon through 2026. Obama's guidelines, meanwhile, had called for auto manufacturers to reach a fleet average of 54.5 miles per gallon by 2026. The plan to halt the goal at 37 miles per gallon was presented as the preferred option of a list of alternatives, including one alternative that would keep the current Obama-era plan in place. The proposal, expected to be challenged in the courts, reverses Obama's plan to keep tightening standards through 2026 in order to improve air quality. It also would bar states such as California from setting their own tougher fuel-efficiency standards, striving instead for what Wheeler called a "50-state solution."

RADIO:

Radio Interview with Brad Giese on WGOW in Chattanooga (August 2nd) no link Radio Interview with Frank Beckerman on WJR in Detroit (August 3rd) no link Radio Interview with Tony Katz on WIBC in Indianapolis (August 3rd) no link

TELEVISION:

[HYPERLINK "https://newschannel9.com/news/bottom-line/acting-epa-administrator-andrew-wheeler-discusses-freezing-emission-standards"]

The Environmental Protection Agency recently announced that they are proposing freezing certain emission standards at 2020 levels until 2026. I spoke to the acting administrator of the EPA, Andrew Wheeler about the rationale behind that proposal.

ACE Rule

RADIO:

Radio Interview with Mark Cox on FM Newstalk 97.1 in St. Louis (August 22nd) no link Radio Interview with Scott Hennen on WZFG in Fargo & KFYR in Bismarck (August 22nd) no link Radio Interview with Kansas City's Morning News on KMBZ in Kansas City (August 22nd) no link

TELEVISION:

[HYPERLINK "https://wjla.com/news/nation-world/acting-epa-administrator-defends-rolling-back-obama-era-regulations-on-coal"]

[HYPERLINK "https://www.wjhg.com/content/news/491492121.html"]

Sorghum RFS Announcement

PRINT:

[HYPERLINK "https://www.omaha.com/money/agriculture/new-epa-chief-aims-to-balance-ethanol-oil-interests-could/article_d2bcfd6d-f482-5909-9093-0ecb1d04efc7.html"]

Acting Environmental Protection Agency chief Andrew Wheeler said this week that he could pursue changes to the federal ethanol mandates that have been such an economic driver for corn belt states such as Nebraska and Iowa. "When everybody's complaining about a program from every side, then we ought to take a look and figure out if there's a way to make the program better, and I'm certainly open to trying to make the program better," Wheeler told reporters. Wheeler stressed that the agency must ensure it's following both the letter and spirit of the law. He rejected making changes to ethanol policy in piecemeal fashion. Wheeler's predecessor, Scott Pruitt, angered ethanol producers and their lawmakers with his attempts to overhaul the Renewable Fuel Standard. The RFS requires a certain amount of ethanol and other biofuels be used every year.

[HYPERLINK "https://journalstar.com/news/national/epa-approves-sorghum-oil-pathway/article_5dac969c-4818-5c68-94ff-153bec0bdf1c.html"]

Environmental Protection Agency Administrator Andrew Wheeler on Tuesday approved sorghum oil as an eligible feed stock under the Renewable Fuel Standard. EPA approval came as National Sorghum Producers leadership and Sens. Deb Fischer (R-Neb.) and Jerry Moran (R-Kan.), along with Rep. Roger Marshall (R-Kan.) convened at EPA headquarters in Washington. 'This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries,' said NSP Chairman Don Bloss, a sorghum farmer from Pawnee City. 'NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce.'"

[HYPERLINK "http://www.hpj.com/front_features/epa-approves-new-sorghum-oil-pathway-under-rfs/article 52c7bb4d-bd73-599e-affc-2e617ced9d0f.html"]

"The Environmental Protection Agency July 24 issued a final notice approving a variety of pathways for renewable fuel derived from sorghum, including biodiesel as a part of the Renewable Fuel Standard program. Sorghum industry leaders see EPA's announcement as a significant step toward leveling the playing field for ethanol plants extracting oil from sorghum. Members of the National Sorghum Producers worked closely with the EPA for over two years to establish a biofuels pathway for sorghum oil in the RFS, and the announcement was celebrated at EPA headquarters with political officials and farm group representatives. EPA Acting Administrator Andrew Wheeler signed the final pathway alongside Sen. Deb Fischer, R-NE; Rep. Roger Marshall, R-KS; the NSP; and the American and Nebraska Farm Bureau Federation." [HYPERLINK "https://www.agdaily.com/news/sorghum-oil-epa-ethanol-industry/"]

Sorghum oil is now an approved feedstock under the Renewable Fuel Standard after a signing event Tuesday at EPA headquarters in Washington, D.C. The EPA's announcement marks a significant step toward leveling the playing field for ethanol plants extracting oil from sorghum. National Sorghum Producers worked closely with the EPA for over two years to establish a biofuels pathway for sorghum oil in the RFS, and this announcement provides new market access for the crop. 'This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries,' said NSP Chairman Don Bloss, a sorghum farmer from Pawnee City, Nebraska. 'NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce.'

[HYPERLINK "https://www.dtnpf.com/agriculture/web/ag/news/business-inputs/article/2018/07/24/sorghum-growers-see-opportunity-now"]

"Acting EPA Administrator Andrew Wheeler on Tuesday announced his agency had approved sorghum oil as a feedstock under the Renewable Fuel Standard as an advanced biofuel and biodiesel product. EPA, sorghum industry leaders,

| senators and congressmen held a roundtable discussion late Tuesday afternoon to talk about the importance of the decision for ethanol plants and sorghum producers. A Texas producer told Wheeler that the decision would help motive more farmers to grow sorghum, which takes less water than crops such as corn. The National Sorghum Producers pushed for more than two years to get sorghum oil as part of the Renewable Fuel Standard." | |
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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/19/2018 10:24:54 PM

To: Bennett, Tate [Bennett.Tate@epa.gov]

Subject: Fwd: FYI ...

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" < wilcox.jahan@epa.gov>
Date: January 19, 2018 at 5:16:51 PM EST

To: "Grantham, Nancy" < Grantham.Nancy@epa.gov >, "Konkus, John" < konkus.john@epa.gov >,

"Ferguson, Lincoln" < ferguson.lincoln@epa.gov >, "Block, Molly" < block.molly@epa.gov >, "Daniell, Kelsi"

<daniell.kelsi@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael"

<abboud.michael@epa.gov>

Cc: "Bowman, Liz" < Bowman.Liz@epa.gov>

Subject: FYI ...

From: Wilcox, Jahan

Sent: Friday, January 19, 2018 5:11 PM

To: Pace, Julie <<u>JPace@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Julie and Carole -

It speaks volumes that not only was Michael unable to share this email that went out — which nobody at headquarters received — but that he was (or maybe still is) going to write like the email had some modicum of authority. It clearly said that "OMB is the official communicator regarding shutdowns" thus making the comments in the email he obtained unofficial.

AP can stand by Michael all they want, but it is more than evident – by three interviews so far this year with Reuters, Wall Street Journal and CBS News – that 2017 was a very successful year for EPA and we're off to a great start this year as well.

Have a great weekend!

Jahan

From: Wilcox, Jahan

Sent: Friday, January 19, 2018 2:49 PM

To: 'Biesecker, Michael' < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Found the email that you couldn't share with us. It clearly says OMB is the official communicator regarding shutdowns in that email.

Here is EPA's official statement: "The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." — EPA spokesman, Jahan Wilcox

From: Newton, Cheryl

Sent: Friday, January 19, 2018 8:19 AM

Subject: Reminders as We Await Budget News (Sent to R5 All EPA)

Good morning everyone,

Its Friday morning, and we are again facing budget uncertainty. The current continuing resolution expires tonight. We are monitoring events in Washington closely and remain hopeful that action will be taken to fund the government. While OMB is the official communicator regarding shutdowns I want to again share several important reminders so you have them at your fingertips.

- <!--[if !supportLists]--><!--[endif]-->The R5 intranet site has the latest Government Shutdown Information (http://www.r5intra.epa.gov/shutdown.html) with plans, guidance and answers to commonly asked questions.
- <!--[if !supportLists]--><!--[endif]-->EPA's Contingency Plan includes important information about what would occur in the event of a shutdown. Page 4 of the Contingency Plan describes reporting requirements for staff to report on the first (business) day of the shutdown. It also indicates any employees on approved flexiplace plans must be coordinated with your supervisor. Of course, anyone working at an alternative work location during a shutdown, must be able to log into e-mail to read their furlough notice. The Contingency Plan can be found here: https://www.epa.gov/sites/production/files/2017-04/documents/epa_contingency_plan_for_shutdown_april_24_2017.pdf
- <!--[if !supportLists]--><!--[endif]-->Please monitor the news for information related to shutdown developments.
- <!--[if !supportLists]--><!--[endif]-->In addition, you can check the 1-800-375-1587 number for updates, particularly if we need to provide instructions Sunday should a budget not be passed by then.
- <!--[if !supportLists]--><!--[endif]-->We will also inform everyone through the Everbridge notification system if any additional actions are necessary. Please note: If your personal contact information has changed recently, you should update your member profile in the Everbridge notification system. To access your member portal, go to: https://member.everbridge.net/index/892807736723798#/login. If you have not yet established a profile in the Everbridge system, please contact Mark Durno at 440-250-1743 or https://member.everbridge.net/index/892807736723798#/login. If you have not yet established a profile in the Everbridge system, please contact Mark Durno at 440-250-1743 or durno.mark@epa.gov and he'll send you a link to access the system.

Thank you all for your hard work and dedication.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 2:42 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

Jahan,

I'm not going to provide anything that might potentially help you identify who provided it to me. But it is addressed as being sent this morning to all Region 5 employees. I am confident you could track down your own copy. If you choose to decline to comment, that, as always, is your decision.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 2:34 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Can you share the email? We can't comment on something we haven't seen.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 2:31 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Pace, Julie < JPace@ap.org >; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

It went to everyone in Region 5. Checking with other regions.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 1:24 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

Can you share this mass email? I haven't received anything.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 1:17 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Jahan,

Below you say "To take that plan and deduce what is actually going to happen is not accurate reporting." But AP has obtained a copy of a mass email sent to EPA employees this morning that

includes a link to the Dec. 2017 contingency plan you are disavowing and instructing them to consult that document for guidance about what to do in the event of a shutdown.

Could you please provide comment?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 12:02 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:46 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]

Sent: 1/24/2018 2:52:05 AM

To: Patrick carolan [pcarolan@franciscanaction.org]

Subject: Re: Wapo piece on Superfund

Thank you!

On Jan 23, 2018, at 9:50 PM, Patrick carolan < pcarolan@franciscanaction.org > wrote:

Thanks i will share it

On January 23, 2018, at 9:44 PM, "Bennett, Tate" < Bennett. Tate@epa.gov > wrote:

Thought your folks might want to see.

Washington Post

https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a story.html?utm term=.673143bd168e

At Superfund sites, Scott Pruitt could flip his industry-friendly script

By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly ... The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 3/8/2018 3:24:27 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: IG LEAKS - 1

Someone from Region 5 tried to leak an email about our plan for the government shutdown, which was an unofficial email.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 2:42 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Jahan,

I'm not going to provide anything that might potentially help you identify who provided it to me. But it is addressed as being sent this morning to all Region 5 employees. I am confident you could track down your own copy. If you choose to decline to comment, that, as always, is your decision.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 2:34 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

Can you share the email? We can't comment on something we haven't seen.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 2:31 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

It went to everyone in Region 5. Checking with other regions.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 1:24 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

Can you share this mass email? I haven't received anything.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 1:17 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Jahan,

Below you say "To take that plan and deduce what is actually going to happen is not accurate reporting." But AP has obtained a copy of a mass email sent to EPA employees this morning that includes a link to the Dec. 2017 contingency plan you are disavowing and instructing them to consult that document for guidance about what to do in the event of a shutdown.

Could you please provide comment?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 12:02 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:46 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

ASSOCIATED PRESS

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/19/2017 6:05:08 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Julie and Michael -

"How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 19, 2017 1:02 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: Julie and Michael -

Definers says its contract with EPA has been canceled. Do you wish to update Jahan's statement from yesterday?

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, December 18, 2017 5:10 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Adding Julie Pace, again. We have answered your questions with the following on-the-record statements.

"A similar security sweep was done for EPA Administrator Lisa Jackson." — EPA spokesman, Jahan Wilcox

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 5:05 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov > **Cc:** Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Julie and Michael -

Also confirming that you decline to comment on the specific questions in yellow below ...

From: Biesecker, Michael

Sent: Monday, December 18, 2017 1:27 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Jahan,

Again, we are willing to include the details of the similar spending under Lisa Jackson, but we don't have immediate access to EPA's records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn't immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, December 18, 2017 1:16 PM

To: Pace, Julie < <u>JPace@ap.org</u>>; Biesecker, Michael < <u>MBiesecker@ap.org</u>>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 1:05 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 12:29 PM

To: Pace, Julie < JPace@ap.org; Biesecker, Michael < MBiesecker@ap.org;

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." — EPA spokesman, Jahan Wilcox

Thanks,

Michael



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M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Greaves, Holly [greaves.holly@epa.gov]

Sent: 12/18/2017 6:08:14 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: Re: APPROVAL: Superfund sites in flood zones

Jahan's quote is perfect!

On Dec 18, 2017, at 1:00 PM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 12:58 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Kelly, Albert < kelly.albert@epa.gov >; Falvo, Nicholas

<falvo.nicholas@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Hewitt, James hewitt, james@epa.gov; Block, Molly block.molly@epa.gov; Daniell, Kelsi

<a href="mailto:daniell.kelsi@epa.gov; Abboud, Michael daniell.kelsi@epa.gov; Abboud, Michael daniell.kelsi@epa.gov; Abboud, Michael daniell.kelsi@epa.gov;

Subject: APPROVAL: Superfund sites in flood zones

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: Superfund sites in flood zones

Liz, Jahan,

The Associated Press has developed an updated list of 327 Superfund sites across the US that are currently on the National Priorities List that are located in FEMA-mapped flood zones or in areas NOAA has mapped as potentially vulnerable to sea level rise caused by climate change.

While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck Public Key T 202-641-9445

1100 13 St. NW, Suite 700

Washington, D.C. 20005-4076

M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 12/18/2017 6:05:16 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov] Sent: Monday, December 18, 2017 12:29 PM

To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/18/2017 5:41:26 PM

To: Pace, Julie [JPace@ap.org]; Biesecker, Michael [MBiesecker@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Julie and Michael -

One more quote ...

"A similar security sweep was done for EPA Administrator Lisa Jackson." – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 12:29 PM

To: 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

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Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

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"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

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Michael



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Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 12/18/2017 10:14:16 PM **To**: Pace, Julie [JPace@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Julie - AP has our statements. Have a good night.

Importance: High

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 5:09 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael ...

I intend to include your statement, as well as summarize the questions you refused to address.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, December 18, 2017 5:07 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael ...

No. Here is our statement and if it's not included will chase the stories and outlets myself.

"Despite fear-mongering from the Associated Press, not a single dollar has actually been eliminated, as Congress still hasn't passed a budget." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 5:04 PM To: Wilcox, Jahan < wilcox.jahan@epa.gov > Cc: Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Julie and Michael ...

Just to confirm, you guys are declining to comment on the increased risk associated with potential flooding at Superfund sites resulting from climate change, and it's absence from the Superfund Task Force report and recommendations?

From: Biesecker, Michael

Sent: Monday, December 18, 2017 1:59 PM **To:** 'Wilcox, Jahan' < wilcox.jahan@epa.gov > **Cc:** Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Julie and Michael ...

Jahan,

| The focus on the story is not necessarily on the White House's proposed cuts to the Superfund program, but more a |
|--|
| question of whether EPA is currently acknowledging or planning for the increased risk associated with potential flooding |
| at these sites resulting from climate change. Could you please provide response to that specific issue? |

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, December 18, 2017 1:18 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Julie and Michael ...

Here's our on-the-record statement:

"Despite fear-mongering from the Associated Press, not a single dollar has actually been eliminated, as Congress still hasn't passed a budget." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: Superfund sites in flood zones

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While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael



ASSOCIATED PRESS

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Reporter

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From: Jackson, Ryan [jackson.ryan@epa.gov]

Sent: 10/16/2017 8:37:18 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Got it. Thank you.

From: Bowman, Liz

Sent: Monday, October 16, 2017 3:16 PM **To:** Jackson, Ryan <jackson.ryan@epa.gov>

Subject: FW: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Deliberative Process / Ex. 5

LA Times

http://www.latimes.com/sns-bc-cb--puerto-rico-environment-20171016-story.html

Puerto Rico struggles with massive environmental crisis

By Michael Melia, Associated Press, 10/16/17

Raw sewage is pouring into the rivers and reservoirs of <u>Puerto Rico</u> in the aftermath of <u>Hurricane Maria</u>. People without running water bathe and wash their clothes in contaminated streams, and some islanders have been drinking water from condemned wells.

Nearly a month after the hurricane made landfall, Puerto Rico is only beginning to come to grips with a massive environmental emergency that has no clear end in sight.

"I think this will be the most challenging environmental response after a hurricane that our country has ever seen," said Judith Enck, who served as administrator of the <u>U.S. Environmental Protection Agency</u> region that includes Puerto Rico under President Barack Obama.

With hundreds of thousands of people still without running water, and 20 of the island's 51 sewage treatment plants out of service, there are growing concerns about contamination and disease.

"People in the U.S. can't comprehend the scale and scope of what's needed," said Drew Koslow, an ecologist with the nonprofit Ridge to Reefs who recently spent a week in Puerto Rico working with a portable water treatment system.

EPA officials said that of last week they still had not been unable to inspect five of the island's 18 Superfund sites — highly contaminated toxic sites targeted for cleanup because of risks to human health and the environment — including the former U.S. Navy bombing range on the island of Vieques.

"I just wish we had more resources to deal with it," said Catherine McCabe, the EPA deputy regional administrator.

Puerto Rico has a long history of industrial pollution, and environmental problems have worsened due to neglect during a decade-long economic crisis. A dozen over-packed landfills remain open despite EPA orders to close them because local governments say they don't have the money.

With homes damaged or destroyed, power lines obliterated and traffic chaotic, many of the EPA's own island-based personnel were unable to report for work immediately after the hurricane tore across the island on Sept. 20

Twelve days after Maria made landfall, the EPA said it had 45 people in Puerto Rico. By Sunday that number stood at 85 — a force that Enck said was still insufficient.

Less than 20 percent of the island's power grid was back online, and while hundreds of large generators have been brought in, the U.S. territory's out-of-service sewage treatments plants include several that sit upstream of drinking water supplies.

One of Puerto Rico's biggest treatment plants discharges into a river that feeds Lake Carraizo, a reservoir that provides drinking water for half of the metropolitan San Juan area. Several of the plant's pumping stations remain out of service due to lack of diesel for generators, leaving sewage running into the lake.

"We're not going anywhere near it," resident Edwin Felix, 46, said, nodding toward the greenish brown river coursing past his hillside home.

That puts an extra strain on the filtration plants that give a final treatment to the water reaching the capital.

Officials say running water has been restored to 72 percent of the island's people. The water authority says it's safe to drink, thought the health department still recommends boiling or disinfecting it.

In the town of Juncos on Thursday, EPA personnel warned people who were swimming in a river by an overflowing manhole that it was contaminated by sewage because a pumping station had failed, said Jaime Geliga, chief of the agency's local municipal water program branch.

"That's the only water they get," he said. "That's the difficult part."

Even the island's own water authority has distributed water from some wells at the Dorado Superfund site, according to Gov. Ricardo Rossello, who said that water has been tested and complies with all federal health standards.

But the EPA said Sunday that some people have ignored fences and warning signs and have taken water for drinking from wells on other, more dangerous parts of Dorado, which was brought into the Superfund program due to dangerous levels of industrial chemicals in groundwater.

The agency put up new fences over the weekend and said it had taken samples from those wells, though the results of tests were not yet available.

Islanders also have been urged to avoid drinking or touching surface waters such as lakes or rivers, particularly after a deadly outbreak of suspected leptospirosis, a bacterial disease spread by animals' urine.

The EPA said it plans to dedicate more staff this week to inspect the roughly 250 small water utilities that serve remote, isolated communities and are typically in poor repair.

Many Puerto Ricans fear other existing threats could have grown worse.

In the southern coastal city of Guayama, residents long have protested the dumping of a several-story-high mountain of coal ash on the grounds of nearby power plant. The pile looks intact after the hurricane, but many fear the winds and flooding could have sent coal ash laced with heavy metals into adjacent neighborhoods.

Benjamin Planes Lugo, 70, lost the roof of the house he built with savings from running a gas station in New York, but he said he's more concerned about the ash, which he already blamed for his respiratory problems. The EPA said Sunday that it had visited the site and was awaiting test results.

"We're real worried about it," Planes Lugo said.

Enck, the former EPA administrator who also oversaw the cleanup after <u>Superstorm Sandy</u> in New York and New Jersey, said her successors should pull in staff from all over the country to address Puerto Rico's problems.

"They have to inspect every single landfill," she said. "EPA needs to go and look at how much material has moved offsite because, inevitably, it did."

From: Bowman, Liz

Sent: Monday, October 16, 2017 3:11 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov>; Mears, Mary < Mears.Mary@epa.gov>; Kluesner, Dave

<kluesner.dave@epa.gov>

Cc: Jahan Wilcox (<u>wilcox.jahan@epa.gov</u>) <<u>wilcox.jahan@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; hewitt.james@epa.gov; Konkus, John <<u>konkus.john@epa.gov</u>>; Lincoln Ferguson (<u>ferguson.lincoln@epa.gov</u>)

<ferguson.lincoln@epa.gov>

Subject: FW: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Deliberative Process / Ex. 5

From: Emily Atkin [mailto:eatkin@tnr.com]
Sent: Monday, October 16, 2017 12:01 PM

To: Press < Press@epa.gov >

Subject: Re: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Will Lopez still visit Puerto Rico or USVI?

On Mon, Oct 16, 2017 at 11:34 AM, EPA Press Office < <u>noreply-subscriptions@epa.gov</u>> wrote:



CONTACT: press@epa.gov

UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED due to Flooding

SAN JUAN, PR (OCTOBER 16, 2017) — Newly sworn-in EPA Regional Administrator Peter Lopez is traveling to Puerto Rico and the U.S. Virgin Islands beginning on October 16, 2017 to meet with government officials and survey some of EPA's on-the-ground efforts in response to Hurricanes Irma and Maria. Regional Administrator Lopez's focus will be seeing firsthand the devastating aftermath of the hurricanes, EPA's work to respond, and identifying possible unmet needs related to EPA's work.

"The people of Puerto Rico and U.S. Virgin Island have had their lives turned upside down by the devastation left in the wake of Hurricanes Irma and Maria. On this trip, I want to engage with people from communities and Territorial and local governments to make sure my team at the EPA continues to help lift these communities up," said Regional Administrator Lopez. "I understand that people are really struggling, and I know that we will need to use all of our substantive problem-solving skills to meet the challenges that most certainly lay ahead."

THE FIELD VISIT TO TOA BAJA PLANNED FOR TODAY AT 1:30 IS <u>CANCELED</u> DUE TO FLOODING IN THE AREA.

Further details of field visits and media opportunities will be announced as soon as they are finalized.







If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking <u>here.</u> Environmental Protection Agency, <u>1200 Pennsylvania Avenue NW, Washington, DC 20460 United States</u>

Emily Atkin

Staff Writer, New Republic

m: Ex. 6 @emorwee

"Find the evidence, that lets everyone see, how the world works."

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 1/19/2018 10:18:53 PM

To: Konkus, John [konkus.john@epa.gov]

Subject: Fwd: FYI ...

What the hell?!? This is not okay

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" < wilcox.jahan@epa.gov > Date: January 19, 2018 at 5:16:51 PM EST

To: "Grantham, Nancy" < <u>Grantham.Nancy@epa.gov</u>>, "Konkus, John" < <u>konkus.john@epa.gov</u>>, "Ferguson, Lincoln" < <u>ferguson.lincoln@epa.gov</u>>, "Block, Molly" < <u>block.molly@epa.gov</u>>, "Daniell, Kelsi"

<daniell.kelsi@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael"

<abboud.michael@epa.gov>

Cc: "Bowman, Liz" < Bowman.Liz@epa.gov>

Subject: FYI ...

From: Wilcox, Jahan

Sent: Friday, January 19, 2018 5:11 PM

To: Pace, Julie <<u>JPace@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Julie and Carole -

It speaks volumes that not only was Michael unable to share this email that went out — which nobody at headquarters received — but that he was (or maybe still is) going to write like the email had some modicum of authority. It clearly said that "OMB is the official communicator regarding shutdowns" thus making the comments in the email he obtained unofficial.

AP can stand by Michael all they want, but it is more than evident – by three interviews so far this year with Reuters, Wall Street Journal and CBS News – that 2017 was a very successful year for EPA and we're off to a great start this year as well.

Have a great weekend!

Jahan

From: Wilcox, Jahan

Sent: Friday, January 19, 2018 2:49 PM

To: 'Biesecker, Michael' < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Found the email that you couldn't share with us. It clearly says OMB is the official communicator regarding shutdowns in that email.

Here is EPA's official statement: "The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." — EPA spokesman, Jahan Wilcox

From: Newton, Cheryl

Sent: Friday, January 19, 2018 8:19 AM

Subject: Reminders as We Await Budget News (Sent to R5 All EPA)

Good morning everyone,

Its Friday morning, and we are again facing budget uncertainty. The current continuing resolution expires tonight. We are monitoring events in Washington closely and remain hopeful that action will be taken to fund the government. While OMB is the official communicator regarding shutdowns I want to again share several important reminders so you have them at your fingertips.

- <!--[if !supportLists]--><!--[endif]-->The R5 intranet site has the latest Government Shutdown Information (http://www.r5intra.epa.gov/shutdown.html) with plans, guidance and answers to commonly asked questions.
- <!--[if !supportLists]--><!--[endif]-->EPA's Contingency Plan includes important information about what would occur in the event of a shutdown. Page 4 of the Contingency Plan describes reporting requirements for staff to report on the first (business) day of the shutdown. It also indicates any employees on approved flexiplace plans must be coordinated with your supervisor. Of course, anyone working at an alternative work location during a shutdown, must be able to log into e-mail to read their furlough notice. The Contingency Plan can be found here: https://www.epa.gov/sites/production/files/2017-04/documents/epa contingency plan for shutdown april 24 2017.pdf
- <!--[if !supportLists]--><!--[endif]-->Please monitor the news for information related to shutdown developments.
- <!--[if !supportLists]--><!--[endif]-->In addition, you can check the 1-800-375-1587 number for updates, particularly if we need to provide instructions Sunday should a budget not be passed by then.
- <!--[if !supportLists]--><!--[endif]-->We will also inform everyone through the Everbridge notification system if any additional actions are necessary. Please note: If your personal contact information has changed recently, you should update your member profile in the Everbridge notification system. To access your member portal, go to: https://member.everbridge.net/index/892807736723798#/login. If you have not yet established a profile in the Everbridge system, please contact Mark Durno at 440-250-1743 or durno.mark@epa.gov and he'll send you a link to access the system.

Thank you all for your hard work and dedication.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 2:42 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Jahan,

I'm not going to provide anything that might potentially help you identify who provided it to me. But it is addressed as being sent this morning to all Region 5 employees. I am confident you could track down your own copy. If you choose to decline to comment, that, as always, is your decision.

Michael

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Sent: Friday, January 19, 2018 2:34 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

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<<u>CFeldman@ap.org</u>>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

It went to everyone in Region 5. Checking with other regions.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 1:24 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

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<CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

Jahan,

Below you say "To take that plan and deduce what is actually going to happen is not accurate reporting." But AP has obtained a copy of a mass email sent to EPA employees this morning that includes a link to the Dec. 2017 contingency plan you are disavowing and instructing them to consult that document for guidance about what to do in the event of a shutdown.

Could you please provide comment?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 12:02 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:46 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks.

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 1/19/2018 10:18:14 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]

Subject: Fwd: Government Shutdown procedures for EPA

I know you have other issues to deal with and this is the least of your worries, but this response is not okay with me.

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" < wilcox.jahan@epa.gov > Date: January 19, 2018 at 5:10:47 PM EST

To: "Pace, Julie" <<u>JPace@ap.org</u>>, "Feldman, Carole" <<u>CFeldman@ap.org</u>>

Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Julie and Carole -

It speaks volumes that not only was Michael unable to share this email that went out — which nobody at headquarters received — but that he was (or maybe still is) going to write like the email had some modicum of authority. It clearly said that "OMB is the official communicator regarding shutdowns" thus making the comments in the email he obtained unofficial.

AP can stand by Michael all they want, but it is more than evident – by three interviews so far this year with Reuters, Wall Street Journal and CBS News – that 2017 was a very successful year for EPA and we're off to a great start this year as well.

Have a great weekend!

Jahan

From: Wilcox, Jahan

Sent: Friday, January 19, 2018 2:49 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Government Shutdown procedures for EPA

Found the email that you couldn't share with us. It clearly says OMB is the official communicator regarding shutdowns in that email.

Here is EPA's official statement: "The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." — EPA spokesman, Jahan Wilcox

From: Newton, Cheryl

Sent: Friday, January 19, 2018 8:19 AM

Subject: Reminders as We Await Budget News (Sent to R5 All EPA)

Good morning everyone,

Its Friday morning, and we are again facing budget uncertainty. The current continuing resolution expires tonight. We are monitoring events in Washington closely and remain hopeful that action will be taken to fund the government. While OMB is the official communicator regarding shutdowns I want to again share several important reminders so you have them at your fingertips.

- <!--[if !supportLists]--><!--[endif]-->The R5 intranet site has the latest Government Shutdown Information (http://www.r5intra.epa.gov/shutdown.html) with plans, guidance and answers to commonly asked questions.
- <!--[if !supportLists]--><!--[endif]-->EPA's Contingency Plan includes important information about what would occur in the event of a shutdown. Page 4 of the Contingency Plan describes reporting requirements for staff to report on the first (business) day of the shutdown. It also indicates any employees on approved flexiplace plans must be coordinated with your supervisor. Of course, anyone working at an alternative work location during a shutdown, must be able to log into e-mail to read their furlough notice. The Contingency Plan can be found here: https://www.epa.gov/sites/production/files/2017-04/documents/epa contingency plan for shutdown april 24 2017.pdf
- <!--[if !supportLists]--><!--[endif]-->Please monitor the news for information related to shutdown developments.
- <!--[if !supportLists]--><!--[endif]-->In addition, you can check the 1-800-375-1587 number for updates, particularly if we need to provide instructions Sunday should a budget not be passed by then.
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Thank you all for your hard work and dedication.

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Jahan,

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Subject: RE: Government Shutdown procedures for EPA

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Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

<u>Public Key</u>

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 12/18/2017 5:23:32 PM

To: Jahan Wilcox (wilcox.jahan@epa.gov) [wilcox.jahan@epa.gov]

Subject: FW: Superfund sites in flood zones

Are you responding to this one as well?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Superfund sites in flood zones

Liz, Jahan,

The Associated Press has developed an updated list of 327 Superfund sites across the US that are currently on the National Priorities List that are located in FEMA-mapped flood zones or in areas NOAA has mapped as potentially vulnerable to sea level rise caused by climate change.

While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael



Public Key

ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M Ex. 6

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 10/16/2017 7:54:50 PM

To: Mears, Mary [Mears.Mary@epa.gov]

Subject: RE: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Ex. 6 Thank you!

From: Mears, Mary

Sent: Monday, October 16, 2017 3:40 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

I think it might be easier for him to call you (signals are really messed up there), but he said he doesn't have your cell, so you might want to email or text that to him.

Mary Mears

Public Affairs Director

U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)

(212) 637-3673 (Direct Office) (212) 637-3660 (General Office)

Ex. 6 (Cell)

From: Bowman, Liz

Sent: Monday, October 16, 2017 3:34 PM **To:** Mears, Mary < Mears. Mary@epa.gov>

Subject: RE: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Yes, I will call in about five minutes, thank you.

From: Mears, Mary

Sent: Monday, October 16, 2017 3:21 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Can you give Pete a call **Ex. 6** or send us the best number for Pete to call you.

Mary Mears

Public Affairs Director

U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)

(212) 637-3673 (Direct Office)

(212) 637-3660 (General Office)

Ex. 6 (Cell)

From: Bowman, Liz

Sent: Monday, October 16, 2017 3:11 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov>; Mears, Mary < Mears.Mary@epa.gov>; Kluesner, Dave

<kluesner.dave@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James

Deliberative Process / Ex. 5

From: Emily Atkin [mailto:eatkin@tnr.com]
Sent: Monday, October 16, 2017 12:01 PM

To: Press < Press@epa.gov>

Subject: Re: UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED

Will Lopez still visit Puerto Rico or USVI?

On Mon, Oct 16, 2017 at 11:34 AM, EPA Press Office < <u>noreply-subscriptions@epa.gov</u>> wrote:



CONTACT: press@epa.gov

UPDATE: EPA Regional Administrator Peter Lopez Visit to Puerto Rico Field Visit to Toa Baja CANCELED due to Flooding

SAN JUAN, PR (OCTOBER 16, 2017) — Newly sworn-in EPA Regional Administrator Peter Lopez is traveling to Puerto Rico and the U.S. Virgin Islands beginning on October 16, 2017 to meet with government officials and survey some of EPA's on-the-ground efforts in response to Hurricanes Irma and Maria. Regional Administrator Lopez's focus will be seeing firsthand the devastating aftermath of the hurricanes, EPA's work to respond, and identifying possible unmet needs related to EPA's work.

"The people of Puerto Rico and U.S. Virgin Island have had their lives turned upside down by the devastation left in the wake of Hurricanes Irma and Maria. On this trip, I want to engage with people from communities and Territorial and local governments to make sure my team at the EPA continues to help lift these communities up," said Regional Administrator Lopez. "I understand that people are really struggling,

and I know that we will need to use all of our substantive problem-solving skills to meet the challenges that most certainly lay ahead."

THE FIELD VISIT TO TOA BAJA PLANNED FOR TODAY AT 1:30 IS <u>CANCELED</u> DUE TO FLOODING IN THE AREA.

Further details of field visits and media opportunities will be announced as soon as they are finalized.

###





If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Emily Atkin
Staff Writer, New Republic
m: Ex. 6
@emorwee

"Find the evidence, that lets everyone see, how the world works."

From:

Daguillard, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

Sent:

6/4/2018 4:27:15 PM

To:

Lynn, Tricia [lynn.tricia@epa.gov]

Subject:

Fwd: EPA Celebrates 500 Days of American Greatness

Tricia, can you post?

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 (M)
202-564-6618 (O)

Begin forwarded message:

From: "EPA Press Office" < press@epa.gov > Date: June 4, 2018 at 12:06:38 PM EDT

To: "Daguillard.Robert@epa.gov" < Daguillard.Robert@epa.gov > Subject: EPA Celebrates 500 Days of American Greatness

Reply-To: press@epa.gov

EPA Celebrates 500 Days of American Greatness

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty to the Auto Industry

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to

working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22 Deregulatory Actions, Which Could Save Americans More Than \$1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The

United States" Rule On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

<!--[if !mso]--> Visit The EPA's Newsroom <!--[endif]-->

U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004 Like
Tweet
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Unsubscribe

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:13:07 PM

To: Justin Wingerter [JWingerter@oklahoman.com]
CC: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

At Superfund sites, Scott Pruitt could flip his industry-friendly script

The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018

https://www.washingtonpost.com/national/health-science/

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330

million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

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Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:12:38 PM

To: Krehbiel, Randy (Randall) [Randy.Krehbiel@tulsaworld.com]; Greene, Wayne (Lewis)

[Wayne.Greene@tulsaworld.com]

CC: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

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The Washington Post Juliet Eilperin & Dennis Brady January 23, 2018

https://www.washingtonpost.com/national/health-science/

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Message

From: Fugh, Justina [Fugh.Justina@epa.gov]

Sent: 6/3/2018 6:50:37 PM

To: Cook, Steven [cook.steven@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: Superfund Task Force

Hi there.

Sorry, but I left a tad early on Friday and then went on a "work diet" until now. I believe the reporter was asking about the waivers set forth at Section 3 of Executive Order 13770. Mr. Cook has not asked for nor received such a waiver.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Cook, Steven

Sent: Friday, June 01, 2018 5:43 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>

Subject: RE: Superfund Task Force

Assuming you gave them the ethics letter I signed, then there is no other document concerning ethics/waivers that I am aware of. For your background, LyondellBasell went through a chapter 11 bankruptcy in 2009-10. Upon emergence, it settled its Superfund liability with various federal and state agencies and no longer has any historical liability for the sites it received a release from during the bankruptcy.

From: Ferguson, Lincoln

Sent: Friday, June 1, 2018 4:36 PM

To: Fugh, Justina < Fugh.Justina@epa.gov>; Cook, Steven < cook.steven@epa.gov>

Subject: Fwd: Superfund Task Force

See question below.

Can one of you let me know what waiver he is referring to and if Steven received one?

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: June 1, 2018 at 1:17:09 PM CDT

To: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Making one last try here. We'd like to report whether or not Cook has received an ethics waiver. Otherwise, we have to report that you wouldn't answer the question.

Michael

From: Biesecker, Michael

Sent: Friday, June 01, 2018 10:41 AM

To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer,

Ellen < EKnickmeyer@ap.org>

Cc: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Superfund Task Force

Lincoln, thanks for providing the recusal. Just to clarify, could you please confirm on the record whether Cook has been issued a waiver, as at least three other EPA political appointees have?

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Thursday, May 31, 2018 5:20 PM

To: Biesecker, Michael <<u>MBiesecker@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen <<u>EKnickmeyer@ap.org</u>>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, May 31, 2018 2:42 PM

To: Ferguson, Lincoln < ferguson.lincoln@epa.gov >; Feldman, Carole < CFeldman@ap.org >; Knickmeyer,

Ellen < EKnickmeyer@ap.org>

Cc: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Thanks for the comment. We will include it. Can you specifically address this question from Wednesday: Has Cook signed an ethics statement regarding his former employer or whether he has been granted an ethics waiver? Will EPA make those documents, if they exist, available to the public?

Thanks,

Michael

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Thursday, May 31, 2018 2:39 PM

To: Biesecker, Michael <<u>MBiesecker@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen <<u>EKnickmeyer@ap.org</u>>

Cc: Konkus, John konkus, John konkus, John konkus, John konkus.john@epa.gov; Wilcox, Jahan wilcox, Jahan konkus.john@epa.gov;

Subject: RE: Superfund Task Force

"All EPA employees receive ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here. Steven Cook is no different."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, May 31, 2018 12:20 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer,

Ellen < EKnickmeyer@ap.org>

Cc: Konkus, John konkus, John konkus, John konkus, John konkus, John konkus.john@epa.gov; Wilcox, Jahan wilcox.jahan@epa.gov>

Subject: RE: Superfund Task Force

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Thanks,

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To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer,

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Michael <MBiesecker@ap.org>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

Hi Carole -

Steven Cook serves as the Superfund Task Force Chair and OLEM Deputy Assistant Administrator.

Thanks, Lincoln

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Wednesday, May 30, 2018 11:16 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>;

Biesecker, Michael < MBiesecker@ap.org>

Cc: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Superfund Task Force

Hi Lincoln,

We're still looking for confirmation about whether Steven Cook is now heading the Super Fund Task Force.

Is EPA commenting?

Thanks,

Carole



Carole Feldman

News editor

1100 13th St. NW Washington, DC 20005 202-641-9404 (office)

Ex. 6 (cell)

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Message

From: Konkus, John [konkus.john@epa.gov]

Sent: 6/1/2018 7:45:29 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Superfund Task Force

I don't know. We can ask Justina or Cook if they know what he's talking about.

From: Ferguson, Lincoln

Sent: Friday, June 1, 2018 3:38 PM

To: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Fwd: Superfund Task Force

What does he want?

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: June 1, 2018 at 1:17:09 PM CDT

To: "Ferguson, Lincoln" < ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Making one last try here. We'd like to report whether or not Cook has received an ethics waiver. Otherwise, we have to report that you wouldn't answer the question.

Michael

From: Biesecker, Michael

Sent: Friday, June 01, 2018 10:41 AM

To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer,

Ellen < EKnickmeyer@ap.org>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

Lincoln, thanks for providing the recusal. Just to clarify, could you please confirm on the record whether Cook has been issued a waiver, as at least three other EPA political appointees have?

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Thursday, May 31, 2018 5:20 PM

To: Biesecker, Michael <<u>MBiesecker@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen <EKnickmeyer@ap.org>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, May 31, 2018 2:42 PM

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Subject: Superfund Task Force

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We're still looking for confirmation about whether Steven Cook is now heading the Super Fund Task

Is EPA commenting?

Thanks, Carole



Carole Feldman

News editor

1100 13th St. NW Washington, DC 20005 202-641-9404 (office) **Ex. 6** (cell)

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Message

From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 5/31/2018 9:26:37 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Feldman, Carole [CFeldman@ap.org]; Knickmeyer, Ellen

[EKnickmeyer@ap.org]

CC: Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Superfund Task Force

Thanks. We will adjust our story, which had not yet gone on the wire.

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

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Message

From: Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]

Sent: 6/11/2018 3:32:36 PM

To: Feldman, Carole [CFeldman@ap.org]

Subject: RE: Superfund Task Force

Good morning Carole -

Sorry for the last minute notice, but it's my turn to reschedule this time. I'm going to be out of the office tomorrow. Any chance we can push this to next week? Perhaps Wednesday?

Thanks, Lincoln

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Thursday, May 31, 2018 1:54 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Tuesday, June 12, works. Let's plan on it.

From: Ferguson, Lincoln < ferguson.lincoln@epa.gov>

Sent: Thursday, May 31, 2018 1:45 PM **To:** Feldman, Carole < CFeldman@ap.org >

Subject: RE: Superfund Task Force

No worries. How does June 11 or 12 look for you?

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Thursday, May 31, 2018 11:10 AM

To: Ferguson, Lincoln < ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Hi Lincoln,

I found out late yesterday that I have to go to Chicago for meetings next Wednesday and Thursday. Could we move our lunch to Friday, or the following week?

Thanks, Carole

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Wednesday, May 30, 2018 11:24 AM
To: Feldman, Carole < CFeldman@ap.org>

Subject: RE: Superfund Task Force

Of course! I'll circle back next week with a place

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Wednesday, May 30, 2018 10:56 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Lunch Thursday is perfect. Pick a place and I can meet you.

OK if I bring Ellen?

Carole

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Wednesday, May 30, 2018 10:42 AM **To:** Feldman, Carole < CFeldman@ap.org>

Subject: RE: Superfund Task Force

Hi Carole,

That would be great. I can do lunch next Thursday or meet for coffee anytime Wednesday or Thursday.

Let me know what works best for you.

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Wednesday, May 30, 2018 10:36 AM

To: Ferguson, Lincoln < ferguson.lincoln@epa.gov>

Subject: RE: Superfund Task Force

Hi Lincoln,

Would you have time next week to meet for lunch?

Thanks, Carole

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Wednesday, May 30, 2018 9:21 AM

To: Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen <<u>EKnickmeyer@ap.org</u>> **Cc:** Konkus, John <<u>konkus.john@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>

Subject: RE: Superfund Task Force

Carole/Ellen -

The Associated Press has told us they want a restart too. Over the past few weeks we have had a positive working relationship with both of you and hope that continues. I think you would agree that we have been extremely responsive to their requests.

Thanks, Lincoln

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, May 29, 2018 5:36 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press < Press@epa.gov>; Feldman, Carole < CFeldman@ap.org>; Bridis, Ted < TBridis@ap.org>

Subject: Re: Superfund Task Force

Lincoln,

Still awaiting a response on this. You guys said you wanted a restart, and one way to help do that is by responding to routine information requests.

Michael

From: Biesecker, Michael <mbiesecker@ap.org>

Sent: Tuesday, May 29, 2018 2:10 PM

Subject: Superfund Task Force

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press cc: Press cpa.gov>

Lincoln,

Can you confirm the reports by Bloomberg and E&E that Steven Cook is taking over the Superfund Task Force following Kell Kelly's departure? Is there a statement?

Thanks,

Michael



Michael Biesecker

Investigative Reporter mbiesecker@ap.org

Twitter: @mbieseck

Public Key



1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions:www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population reads, sees or hears news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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[EKnickmeyer@ap.org]

CC: Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Superfund Task Force **Attachments**: signed recusal 4-20-18.pdf

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, May 31, 2018 2:42 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer, Ellen

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Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

"All EPA employees receive ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here. Steven Cook is no different."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, May 31, 2018 12:20 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen

<<u>EKnickmeyer@ap.org></u>

Cc: Konkus, John < konkus.john@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Circling back again in the hopes of getting the agency's perspective. LyondellBasell, its subsidiaries and its preceding corporate entities are listed by EPA as potentially responsible parties for about 50 sites on the National Priorities List. This would appear to create an obvious conflict of interests for Cook. How does EPA plan to address that?

Thanks,

Michael

From: Biesecker, Michael

Sent: Wednesday, May 30, 2018 11:36 AM

To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer, Ellen

<EKnickmeyer@ap.org>

Cc: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Superfund Task Force

Lincoln,

Thanks for the response. Prior to being hired at EPA in February, Cook worked for 22 years as in-house legal counsel at LyondellBasell, one of the largest plastics, chemicals and refining companies in the world.

Can you speak to whether he has signed an ethics statement regarding his former employer or whether he has been granted an ethics waiver? Will EPA make those documents, if they exist, available to the public?

As you may know, AP has an active pending FOIA for such ethics statements and waivers, but we have not seen one for Cook.

Thanks,

Michael

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Sent: Wednesday, May 30, 2018 11:23 AM

To: Feldman, Carole <<u>CFeldman@ap.org</u>>; Knickmeyer, Ellen <<u>EKnickmeyer@ap.org</u>>; Biesecker, Michael

<MBiesecker@ap.org>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: RE: Superfund Task Force

Hi Carole -

Steven Cook serves as the Superfund Task Force Chair and OLEM Deputy Assistant Administrator.

Thanks, Lincoln

From: Feldman, Carole [mailto:CFeldman@ap.org]

Sent: Wednesday, May 30, 2018 11:16 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Knickmeyer, Ellen <<u>EKnickmeyer@ap.org</u>>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Konkus, John konkus, John konkus.john@epa.gov>

Subject: Superfund Task Force

Hi Lincoln,

We're still looking for confirmation about whether Steven Cook is now heading the Super Fund Task Force.

Is EPA commenting?

Thanks,

Carole



Carole Feldman

News editor

1100 13th St. NW Washington, DC 20005 202-641-9404 (office) Ex. 6 (cell)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 2 0 2018

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

NOW THE OFFICE OF LAND AND EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Steven Cook

Deputy Assistant Administrator

TO: Barry N. Breen

Acting Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **LyondellBasell Industries N.V.**, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters related to the entity above, I will instruct Becky Brooks or Nick Hilosky, Special Assistants, to assist in screening EPA matters directed to my attention that involve LyondellBasell Industries N.V. All inquiries and comments involving LyondellBasell Industries N.V. should be directed to Becky Brooks or Nick Hilosky without my knowledge or involvement until after my recusal period ends.

If Becky Brooks or Nick Hilosky determines that a particular matter will directly involve LyondellBasell Industries N.V., then she/he will refer it for action or assignment to another, without my knowledge or involvement. In the event that she/he is unsure whether an issue is a particular matter from which I am recused, then she/he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and to OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics

| Message |
|---------|
| |
| From: |

rom: Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]

Sent: 5/30/2018 1:20:52 PM

To: Feldman, Carole [CFeldman@ap.org]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
CC: Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Superfund Task Force

Carole/Ellen -

The Associated Press has told us they want a restart too. Over the past few weeks we have had a positive working relationship with both of you and hope that continues. I think you would agree that we have been extremely responsive to their requests.

Thanks, Lincoln

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, May 29, 2018 5:36 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press <Press@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Bridis, Ted <TBridis@ap.org>

Subject: Re: Superfund Task Force

Lincoln,

Still awaiting a response on this. You guys said you wanted a restart, and one way to help do that is by responding to routine information requests.

Michael

From: Biesecker, Michael <mbiesecker@ap.org>

Sent: Tuesday, May 29, 2018 2:10 PM

Subject: Superfund Task Force

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press cc: Press press@epa.gov>

Lincoln,

Can you confirm the reports by Bloomberg and E&E that Steven Cook is taking over the Superfund Task Force following Kell Kelly's departure? Is there a statement?

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions:www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population reads, sees or hears news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]

Sent: 6/4/2018 6:31:02 PM

To: Richardson, RobinH [Richardson.RobinH@epa.gov]

Subject: Fwd: EPA Celebrates 500 Days of American Greatness

Sent from my iPhone

Begin forwarded message:

From: "Daguillard, Robert" < <u>Daguillard.Robert@epa.gov</u>>

Date: June 4, 2018 at 2:30:17 PM EDT

To: AO OPA Internal Communications < AO OPA Internal Communications@epa.gov>, AO-OCIR Everyone < AOOCIR Everyone@epa.gov>, Press < Press@epa.gov>, Regional Public Affairs Directors

< Regional Public Affairs Directors@epa.gov >, Comm Directors and Alternates

<Comm Directors and Alternates@epa.gov>

Subject: FW: EPA Celebrates 500 Days of American Greatness

Newsroom: https://www.epa.gov/newsreleases/epa-celebrates-500-days-american-greatness

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Ex.6 (M)

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] On Behalf Of EPA Press Office

Sent: Monday, June 04, 2018 12:07 PM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** EPA Celebrates 500 Days of American Greatness

EPA Celebrates 500 Days of American Greatness

- <!--[if !supportLists]--><!--[endif]-->Withdrawing from the Paris Climate Agreement
- <!--[if !supportLists]--><!--[endif]-->Ensuring Clean Air & Water
- <!--[if !supportLists]--><!--[endif]-->Reducing Burdensome Government Regulations
- <!--[if !supportLists]--><!--[endif]-->Repealing the so-called "Clean Power Plan"
- <!--[if !supportLists]--><!--[endif]-->Repealing the Waters of the United States Rule
- <!--[if !supportLists]--><!--[endif]-->Promoting Energy Dominance
- <!--[if !supportLists]--><!--[endif]-->Promoting Science Transparency
- <!--[if !supportLists]--><!--[endif]-->Ending Sue & Settle
- <!--[if !supportLists]--><!--[endif]-->Promoting Certainty to the Auto Industry

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22 Deregulatory Actions, Which Could Save Americans More Than \$1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

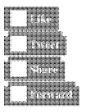
In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

Seife v. EPA (1:19-cv-05190)

12.2.2019



U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00091537-00008

Message

From: Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]

Sent: 1/11/2018 3:28:02 PM

To: Flynn, Mike [Flynn.Mike@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Wooden-Aguilar, Helena

[Wooden-Aguilar.Helena@epa.gov]

Subject: FW: EPA News Highlights 1.11.18
Attachments: EPA News Highlights 1.11.18.docx

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Block, Molly

Sent: Thursday, January 11, 2018 9:53 AM

To: Daniell, Kelsi <daniell.kelsi@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>;

Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John

<konkus.john@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>;

Hanson, Paige (Catherine) hanson.catherine@epa.gov; Ford, Hayley <ford.hayley@epa.gov; McMurray, Forrest

<mcmurray.forrest@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: EPA News Highlights 1.11.18

EPA News Highlights 1.11.18

M Live: Michigan Sues Wolverine as EPA Deepens PFAS Investigation

The state of Michigan is suing Wolverine World Wide in federal court to recoup costs associated with an expansive probe into drinking water contamination, a move concurrent with the U.S. Environmental Protection Agency increasing the federal government's role in the toxic chemical investigation. On Wednesday, Jan. 10, the EPA ordered Wolverine to conduct more investigation into other toxic chemicals from the shoe company's former riverside tannery that have contaminated groundwater and the Rogue River north and south of Rockford.

Politico Morning Energy: Lead, Superfund, CPP and RFS

GET THE LEAD OUT? EPA is weighing the possibility of replacing every lead drinking water pipe in the country... SUPERFUND TWEAKS POSSIBLE IN 2018: Rep. John Shimkus, chairman of the Energy and Commerce Environment Subcommittee, told ME he'll examine potential changes to the Superfund statute during 2018. MORE TIME COMING? Comments on EPA's repeal of the Clean Power Plan are (as of yet) still due by the end of the day next Tuesday. An extension is very likely, and sources last week told Pro's Emily Holden that EPA is planning one.

Poughkeepsie Journal: Hudson River At A Crossroads: GE, Groups Await EPA Decision on PCBs

The Hudson River cleanup appears to be stuck at a crossroads. In a much-anticipated response to General Electric's request for a certificate of completion for its cleanup of PCBs, the U.S. Environmental Protection Agency said in a Jan. 2 letter it is delaying judgment until it finalizes the 5-year review of the river's recovery. The Hudson River PCB (polychlorinated biphenyls) cleanup is one of the largest environmental cleanups in modern history. From 1947 to 1977, GE dumped an estimated 1.3 million pounds of the oily fire retardant and insulator into the river from its manufacturing plants in Hudson Falls and Fort Edward. Under a 2006 consent decree with the EPA, the company was held responsible for the entire 197-mile Superfund site, but specifically required to clean up 40 miles of the upper river.

Associated Press: Indiana Well Field Proposed as EPA Cleanup Priority

Federal officials are considering adding a well field in central Indiana to the national Superfund list for cleanup. The Indiana Department of Environmental Management referred the Wheeler well field in Anderson to the U.S. Environmental Protection Agency for long-term cleanup funding. There is a 60-day public comment period before sites can be added to the EPA's national priorities list.

Inside EPA: EPA Readies Details on CPP Repeal 'Listening Sessions'

EPA in a new court filing is pledging to soon release details for three upcoming "listening sessions" on its proposal to rescind the Obama-Era Clean Power Plan (CPP) utility greenhouse gas rule, saying that and other regulatory efforts justify an appellate court continuing to hold litigation over the rule in abeyance. The agency's report largely reiterates prior announcements regarding its process to repeal the CPP, though it reveals that it will soon publish a Federal Register notice announcing dates and locations for three listening sessions on the plan.

National News Highlights 1.11.18

Bloomberg: Wal-Mart Raises U.S. Hourly Wage to \$11 in Wake of Tax Overhaul

Wal-Mart Stores Inc. is boosting its starting hourly wage to \$11 and delivering bonuses to employees, capitalizing on the U.S. tax overhaul to stay competitive in a tightening labor market. The increase takes effect next month and will cost \$300 million on top of wage hikes that were already planned, the Bentonville, Arkansas-based retailer said Thursday. "Tax reform gives us the opportunity to be more competitive globally and to accelerate plans for the U.S.," Chief Executive Officer Doug McMillon said in the statement.

Louisville Courier Journal: Gov. Matt Bevin Laments 'Hubbub' from Climate 'Joke,' While Dismissing Science and Al Gore

It was just a joke, Gov. Matt Bevin said Tuesday, about the Twitter post he shared on a cold Friday night that credited President Donald Trump with fixing global warming. It's always been changing, he went on to tell talk show host Brian Thomas, citing past ice ages and the frigid 1970s. "But this idea that we all need to be held hostage to a handful of people who contribute nothing to the wealth of this nation, who then will, in turn, shut us down, led by puppeteers like Al Gore, for the lining of their own pockets, in order to make us jump through various regulatory hoops, as if somehow, we, mankind is solely responsible and is solely going to be the solution, is ludicrous."

The Hill: Congress Barrels Toward Another Shutdown Crisis

Lawmakers are scrambling to avoid a government shutdown as they barrel toward another funding deadline without a clear path forward. GOP leadership is remaining tightlipped about their plan, with Senate Majority Leader Mitch McConnell (R-Ky.) and Speaker Paul Ryan (R-Wis.) declining to outline their next steps before a Jan. 19 deadline. They are expected to offer a short-term stopgap measure given the fast-approaching deadline and a failure to lockdown a deal on raising spending ceilings for defense and nondefense.

Associated Press: Immigration Agents Descend on 7-Eleven Stores in 17 States

Seven immigration agents filed into a 7-Eleven store before dawn Wednesday, waited for people to go through the checkout line and told arriving customers and a driver delivering beer to wait outside. A federal inspection was underway, they said. The employment audits and interviews with store workers could lead to criminal charges or fines. And they appeared to open a new front in Trump's expansion of immigration enforcement, which has already brought a 40 percent increase in deportation arrests and pledges to spend billions of dollars on a border wall with Mexico.

Wall Street Journal: Whispers of \$80 Oil Are Growing Louder

Oil prices have been grinding higher and higher, spurring forecasters to predict they could hit \$80 a barrel this year. Oil is already trading at its highest levels in three years after a 22% gain for U.S. crude futures over the past 12 months, and some market watchers expect prices to take out new milestones as the rally continues in 2018.

TRUMP TWEETS

M Live

http://www.mlive.com/news/grand-rapids/index.ssf/2018/01/wolverine_deq_pfas_lawsuit.html

Michigan Sues Wolverine as EPA Deepens PFAS Investigation

By Garret Ellison, 11/10/18

The state of Michigan is suing Wolverine World Wide in federal court to recoup costs associated with an <u>expansive</u> <u>probe</u> into drinking water contamination, a move concurrent with the U.S. Environmental Protection Agency increasing the federal government's role in the toxic chemical investigation.

On Wednesday, Jan. 10, the EPA <u>ordered</u> Wolverine to conduct more investigation into other toxic chemicals from the shoe company's former riverside tannery that have contaminated groundwater and the Rogue River north and south of Rockford.

Meanwhile, the state wasted no time filing in U.S. District Court in Grand Rapids after new groundwater cleanup criteria for PFOS and PFOA, two per- and polyfluoroalkyl substances known as PFAS or PFCs, took effect Wednesday.

The new <u>PFAS standards</u> give the state legal power to compel pollution cleanup and could force Wolverine to pay for municipal water hookups in areas where wells have been contaminated by PFOS and PFOA at concentrations above 70 parts-per-trillion.

Michigan could levy fines against Wolverine if necessary.

Until now, Wolverine's private well testing and home filter installation have been voluntary actions because PFAS are unregulated contaminants in drinking water.

Historical Wolverine waste spread on farms as crop fertilizer and dumped in landfills and gravel pits has contaminated hundreds of private drinking water wells in the Rockford and Belmont areas of Kent County -- <u>some at extremely high</u> levels.

Waste dumped at the <u>State Disposal Superfund landfill</u> and the former <u>Northeast Gravel pit</u> may have also contaminated the Plainfield Township municipal supply.

The Michigan Department of Environmental Quality said that although Wolverine has cooperated with requests for resources, testing and alternative water, the lawsuit formalizes the process, timelines and expectations the state has moving forward.

The suit does not stop current investigation or testing.

"Our new state cleanup standard now gives us the ability to take additional legal actions such as this, which provides the state with more options to ensure long-term compliance plans are in place and enforced," said Heidi Grether, DEQ director.

Wolverine issued a statement pledging its "continued commitment" to working with the DEQ and the EPA, which formally <u>entered</u> the investigation late last month to conduct well and river testing, and said Wednesday it's now-larger role in the Wolverine investigation is a "coordinated enforcement approach" with Michigan.

The state's action was filed under the federal Resource Conservation and Recovery Act (RCRA) and Part 201 of the state's Natural Resources and Environmental Protection Act (NREPA).

Michigan wants a judge to put Wolverine on the hook for "long-term, reliable drinking water supplies," response actions to protect human health and the environment from the toxic chemicals and cover past and future cleanup and enforcement costs. It also seeks "costs related to health assessments or health-effect studies carried out under the supervision, or with the approval of, the Michigan Department of Health and Human Services."

Wolverine has hired a toxicologist to cast doubt on connections between PFAS and diseases like cancer, thyroid problems, and developmental affects exposure has been linked to.

Plainfield Township has also been negotiating with Wolverine to pay for treatment plant upgrades to filter low levels of PFAS from its finished water supply and <u>extension of water mains</u> to homes with polluted wells.

The filing names the <u>now-infamous House Street dump site</u> and the former <u>Wolverine tannery in Rockford</u>, which was demolished in 2010. Combined PFOS and PFOA in groundwater at the House Street dump has been found at 44,000-ppt, and in groundwater under the tannery grounds next to the Rogue River at 490,000-ppt.

PFAS in the Rogue River has been found at 18.4-ppt.

As of this month, roughly 15 square miles of contiguous area in Plainfield and Algoma townships as well as the city of Rockford are in an established PFAS testing zone. So far, PFOS and PFOA above the EPA 70-ppt health advisory level have been found in 78 wells.

Grether said the filing helps provide a "clearly defined path forward to implement permanent solutions for the community."

The state filing comes a day before Varnum Law, a firm representing residents <u>suing</u> Wolverine, was set to file its <u>own</u> <u>action</u> under RCRA to force cleanup at the House Street dump.

Varnum partner Aaron Phelps said the firm gave DEQ notice of its intent to sue Wolverine to force remediation, including extending municipal water to affected residents, "if DEQ did not fulfill its obligations."

"DEQ had 90 days from our notice to take action, which would have expired tomorrow," Phelps wrote on Facebook.

"Yesterday, DEQ announced that it was enacting PFAS rules in order to give itself authority to bring enforcement action. Those rules went into effect today, and no coincidence, DEQ filed suit today. While we wish DEQ would have acted months ago, and without our prodding, we are glad something is finally happening."

On the federal side, the EPA has ordered Wolverine to further investigate soil, groundwater and river sediment contaminated with arsenic, chromium, mercury and ammonia in addition to PFAS. It's the EPA's first major action related to Wolverine's former tannery since 2011, when, despite pleas from concerned local citizens for inclusion of the site on the Superfund list, the EPA gave the DEQ control over the property, which has sat nearly untouched since then.

In its order, the EPA wrote that contamination at the tannery grounds and House Street dump constituted an "imminent and substantial endangerment" to public health and the environment as legally defined by the federal Superfund law.

The agency cited the site's proximity to the White Pine Trail and recreational use of the nearby river as potential exposure points where people may come into direct contact with polluted soils and sediment.

EPA has ordered signage and fencing around the tannery site.

The order was signed by Robert Kaplan, acting Region 5 Superfund division director who was <u>replaced</u> as head of the Chicago office in December.

In a statement, Wolverine said it "remains in discussions with the EPA regarding the tannery and House Street sites, and will collaborate with the EPA on any possible next steps."

Chris Hufnagel, Wolverine vice president and head of strategy, said "the anticipated actions by the MDEQ and EPA stem from efforts already underway and formalize the work and testing already being done by Wolverine."

"This is our hometown and these are our friends, families and neighbors," he said. "We are committed to doing the right thing and seeing this through to the end."

Politico: Morning Energy

https://www.politicopro.com/newsletters/morning-energy/2018/01/how-the-tax-overhaul-is-playing-out-071139

Lead, Superfund, CPP and RFS

By Kelsey Tamborrino, 1/11/18

GET THE LEAD OUT? EPA is weighing the possibility of replacing every lead drinking water pipe in the country, Pro's Annie Snider reports. The agency this week asked state and local groups to weigh in on the feasibility of such a task, which is one that falls in line with Administrator Scott Pruitt's so-called war on lead. Participants in an EPA meeting on Monday said they left feeling that Pruitt is eager to update the Lead and Copper Rule, which hasn't been revised in over a decade. Read more.

REPORT: TOXIC DRINKING WATER IN ALL 50 STATES: The drinking water for more than 170 million Americans contains radioactive elements that may increase the risk of cancer, according to new analysis from the Environmental Working Group of public water test results from 2010-15. See <u>this map</u> that shows radium contamination nationwide and read the EWG report <u>here</u>.

SUPERFUND TWEAKS POSSIBLE IN 2018: Rep. <u>John Shimkus</u>, chairman of the Energy and Commerce Environment Subcommittee, told ME he'll examine potential changes to the Superfund statute during 2018. "There's some broken aspects of the Superfund law," he said. ME fans no doubt remember that cleaning up the toxic sites has been a major priority for Pruitt, so perhaps lessons learned there will feed into Shimkus' work.

Oh, and about RFS, Shimkus said his staff had been in touch with Senate Majority Whip <u>John Cornyn</u>'s office. (Remember the Texan has been pursuing some sort of compromise between biofuels and refining interests.) But he didn't sound super upbeat about the chances: "Of course, I have to look at it and try," he said.

MORE TIME COMING? Comments on EPA's repeal of the Clean Power Plan are (as of yet) still due by the end of the day next Tuesday. An extension is very likely, and sources <u>last week</u> told Pro's Emily Holden that EPA is planning one. But that's not assured until EPA makes the final call, and some groups are prepping their regulatory responses just in case. Asked when EPA might announce a new deadline, spokeswoman Liz Bowman said the agency would "provide additional details on this shortly once they are finalized." EPA yesterday told the D.C. Circuit Court of Appeals, which is withholding its decision on the Obama-era rule, that the agency will <u>soon announce</u> the dates of three additional hearings and hold the record open for 30 days after the last one.

Poughkeepsie Journal

http://www.poughkeepsiejournal.com/story/tech/science/environment/2018/01/11/ge-groups-await-epa-pcbs/972742001/

Hudson River At A Crossroads: GE, Groups Await EPA Decision on PCBs By Amy Wu, 1/11/18

The Hudson River cleanup appears to be stuck at a crossroads.

In a much-anticipated response to General Electric's request for a certificate of completion for its cleanup of PCBs, the U.S. Environmental Protection Agency said in a Jan. 2 letter it is delaying judgment until it finalizes the 5-year review of the river's recovery.

The organization is hoping to complete its review "in early 2018," according to Mary Mears, the EPA Region 2 director of public affairs, at which time it will make a decision. The EPA's conclusion could spark legal action from the state and environmental groups.

The decision to delay was met with immediate support from Gov. Andrew Cuomo, Attorney General Eric Schneiderman, the Department of Environmental Conservation, the Department of Commerce/National Oceanic and Atmospheric Administration, local officials and environmental groups.

"General Electric's cleanup of the Hudson River fails to protect the environment and public health," said Dutchess County Executive Marc Molinaro in a statement issued Jan. 3. "Additional dredging is needed to create jobs and to ensure the river is safe and healthy for all New Yorkers."

The Hudson River PCB (polychlorinated biphenyls) cleanup is one of the largest environmental cleanups in modern history. From 1947 to 1977, GE dumped an estimated 1.3 million pounds of the oily fire retardant and insulator into the river from its manufacturing plants in Hudson Falls and Fort Edward.

Under a 2006 consent decree with the EPA, the company was held responsible for the entire 197-mile Superfund site, but specifically required to clean up 40 miles of the upper river. The dredging started in 2009 and ended in 2015 with the company claiming it invested \$1.7 billion on the cleanup. Since then, there has been no dredging or cleanup of PCBs, a probable carcinogen, in the river.

"The dredging project has been completed. GE completed all commitments to EPA, and EPA has said it was a success," said Mark Behan, the GE spokesman for the Hudson River cleanup.

In a draft of the 5-year report released for public comment in June, the EPA concluded cleanup efforts were implemented successfully and touted "encouraging" data collected since dredging ended."

However, environmental advocates and state officials argue more work needs to be done to restore the health of the Hudson River, a vital source of commerce through tourism, transportation and recreation, and say efforts are specifically needed to clean the lower Hudson, part of which flows between Dutchess and Ulster counties.

The cost of continuing that cleanup could be in the billions. Some state officials fear taxpayers may end up paying that price.

The EPA's decision whether to grant GE's request for a certificate of completion was expected last month, as the organization was required to respond within 365 days of the Dec. 23, 2016 request. Anticipating this, environmental groups, state leaders, local officials in recent months increased pressure on the EPA through phone calls and letter writing. In December, Cuomo and Schneiderman announced the state is prepared to sue the EPA if the agency grants GE the certificate.

The campaigns appear to have played a role in the standstill.

Gary Klawinski, director of the EPA Region 2 Hudson River Field Office team, said the postponement was caused by the amount and "complexity" of public comments related to the impending 5-year review, which will reveal the EPA's stance on the cleanup status. The EPA said it expects to finalize the review in the early part of this year.

Additional letters from state officials and the federal trustees also require more review, Klawinski said.

All parties agree the cleanup is a priority for the state, region and communities at large.

DEC Commissioner Basil Seggos stressed the Hudson River's economic vitality to the region.

"This is a river that should be providing enormous economic and environmental benefits to New Yorkers," said Seggos.

Other unknown factors could also impact the future of the river, including the shifting political climate. The EPA has lost hundreds of staff members since President Donald Trump entered office, according to USA Today Network reports, and the national budget is expected to include cuts to environmental cleanup programs.

Another factor could be the EPA Region 2's newly named Regional Administrator Pete Lopez, who joined the agency in September. Lopez, who served in the New York State Assembly since 2007, was a member of the New York Assembly Committee on Environmental Conservation.

Lower Hudson questioned

Environmental groups, elected officials and many community members argue the cleanup is far from complete, and that it should also include the lower part of the river.

"In terms of upper Hudson, we do think more can be done, and essentially nothing has been done in the lower Hudson," said Manna Jo Greene, environmental action director of Hudson River Sloop Clearwater.

While GE is responsible for the entire Superfund Site based on the 2006 consent decree, the documents state dredging is only required in the 40-miles, the upper stretch north of Albany where the company's manufacturing facilities were once based.

"GE has no obligations in the lower river and all of GEs obligation is in the upper river," Behan said.

The cleanup of the upper part of the river and the lower part are interconnected, some environmental groups argue.

Althea Mullarkey, a public policy analyst at environmental group Scenic Hudson, points to the "spigot" theory, a reference to an idea from the EPA's 2002 Record of Decision, that PCB cleanup in the upper Hudson affects the lower Hudson too.

Dredging of PCBs in the upper Hudson would reduce the amount of PCBs to the lower Hudson by as much as 20 percent, according to the 2002 Record of Decision.

Mullarkey said GE or the EPA needs to put together a feasibility report to determine the damage and needs in the lower Hudson.

Cleanup definition debated

There are differences among key stakeholders on what a complete cleanup would mean.

GE defines the cleanup within its agreement with the EPA, which it says it has met. Environmental groups say the cleanup is based on water quality, specifically, whether fish can be consumed and whether the water is swimmable.

The state Department of Health warns against anyone eating certain types of fish, such as walleye and white catfish, taken from the from the Hudson River between Dutchess and Ulster counties, and suggests other types, like striped bass, should only be eaten sparingly by people of certain age groups.

There are concerns over people from underserved communities who are eating the fish, and what could be the potential long-term impact on their health.

"People aren't following those house advisories. The fact is, people are being exposed to the PCBs through fish consumption," said Greene at Clearwater.

Greene said a 2010 study by Clearwater that focused on communities such as Peekskill found, despite health advisories against consuming Hudson River fish, "for various reasons people were unaware and eating Hudson River fish and people depending on fishing for subsistence."

Clearwater and other environmental groups continue outreach campaigns in communities warning against consumption.

Natural habitat evaluated

As part of the upper Hudson cleanup, the company is responsible for the natural habitat, the cost of which is being evaluated separately by the Hudson River Natural Resources Trustees, an independent group with representatives from the DEC, NOAA, the U.S. Fish and Wildlife Service and National Park Service. The group has been reviewing the impact, and cost of cleanup and rebuilding habitat, since 1997.

"GE is responsible for the natural resources that were injured or continue to be injured," said Kathryn Jahn, a trustees member representing the Fish and Wildlife Service. "We need to determine what needs to be done for compensation, and we will seek that from GE."

Behan said GE remains "open to discussing these issues with them."

Trustees have identified fish consumption as a factor in endangering populations of birds and mink. In addition, the trustees have examined damage to groundwater, surface water and underwater, as well as the damage caused to natural resources by the dredging and cleanup itself.

Jahn said she could not give details on the assessment or a timeline. She said natural resources claims are resolved by litigation or settlement, the majority being a settlement.

In the meantime, the trustees are pushing the EPA to deny GE the certificate of completion and have sent letters to the EPA's Klawinski.

In a Dec. 13 letter, Jahn, on behalf of the trustees, wrote: "We believe additional PCB removal and robust habitat reconstruction under the Comprehensive Environmental Response, Compensation, and Liability Act remedial program will accelerate the recovery of the river and its resources."

Price tags unknown

Estimating the cleanup of the river's entirety is challenging, since the lower Hudson has yet to be assessed.

GE has said it has invested an estimated \$1.7 billion in the cleanup to date. The company doesn't offer a breakdown of individual projects but said the majority was spent on dredging.

Dredging occurred 24 hours a day, six days a week, seven months a year for six years, according to Behan, who said as many as 500 employees worked on the project at one point.

The company removed 2.75 million cubic yards of mud containing 310,000 pounds of PCBs, more than twice what was originally estimated, which the EPA in the past labeled as a success.

GE is not required to submit a breakdown of project cost information to the EPA, the EPA confirmed.

"When a company signs on we do make sure they have the financial means to take on the work," Kluesner said.

In a 2010 report prepared by GE to a panel of independent scientists who were put together by the EPA to evaluate the first year of dredging, the company reported it spent \$560.9 million on the first phase of the dredging project, including over \$227 million for dredging and more than \$130 million in building dredging facilities including purchasing equipment.

In that report, GE said it spent \$830 million on Hudson River-related cleanup projects and research since 1990.

Scenic Hudson estimates a comprehensive cleanup would cost another \$500 million for the upper Hudson alone. The group also asserts the amount would be half if GE had not stopped dredging in 2015.

"We believe there is more work that needs to be done and estimate it would have only taken another two more seasons of dredging," said Mullarkey. "They rushed to complete it, so we estimate it has doubled the cost."

Environmental groups warn that if GE is issued a certificate of completion, taxpayers will be responsible for the cost of cleanup.

New York state has been preparing for that possibility.

The state has spent \$50 million of studying the PCBs in the river.

Riverkeeper's recent report "How's the Water?", which examined the water quality of the river estuary, <u>estimated a \$4.8 billion investment</u> is needed for wastewater infrastructure in the Hudson River Watershed. It also found 21 percent of the river's estuary samples failed to meet federal swimming guidelines.

The group estimates another \$1.5 billion would be needed for a cleanup of the lower Hudson, given its size.

As for who should be responsible for future cleanup and costs, Seggos said "the polluter should always pay.

"GE outsources its pollution on the environment ... now New York continues to bear some of that cost. Until the accounting of that is complete and the river itself is complete, New Yorkers are bearing that cost," Seggos said.

He added the ultimate damage isn't easily calculated as there has been value lost to the local economies including fisheries and natural resources."

"And there is a stigma associated with the river itself," Seggos said. "Those are enormous costs."

Wait continues

Ned Sullivan, president of Scenic Hudson, said the cleanup of the Hudson River hinges on Lopez, the EPA's regional administrator.

"I pray he will do the right thing," said Sullivan, noting that if a certificate of completion is issued taxpayers would be responsible for the costs of future cleanups.

Riverkeeper is considering litigation if the certificate of completion is issued.

GE said it will engage in post-dredging monitoring by collecting environmental data of water, sediment and fish, and share the data with the EPA and state. GE continues to have roughly a dozen environmental engineers and scientists, some full time and others consultants, working on the project.

However, at a time when state and federal governments are often at odds with each other, there remains uncertainty over the possibility of a complete cleanup.

Seggos acknowledged the "unique and challenging political climate," noting the federal government is not "strong on the environment." Trump has said he will reduce funding for EPA cleanups and science programs.

"On the other hand, we've also heard the word that (EPA Chief Scott Pruitt) appreciates the importance of the Superfund program," he said.

The Hudson River cleanup is a top priority for the DEC, he said.

"This is the biggest Superfund site in the country. It has a long and tortured history, and it's part of the lifeblood of the state," Seggos said.

Amy Wu: 845-451-4529, awu@poughkeepsiejournal.com, Twitter: @Wu_PoJo

Timeline

2002 — The U.S. Environmental Protection Agency releases a Record of Decision, identifying the impact and remedies for cleanup of the Hudson River. It identifies PCBs as contamination and called for dredging.

2006 — GE signs a consent decree with the EPA, an agreement for a cleanup. While responsible for the river's entirety the cleanup is focused on 40 miles of the Upper Hudson.

2009-2015 — GE performs dredging.

2015-present — GE continues sampling of the upper and lower river including water, sediments and fish. New York State's Department of Environmental Conservation conducts sampling too.

December 2016 — GE requests a certificate of completion from the EPA.

June 2017 — The EPA releases for public comment, its second 5-year review of the cleanup.

December 2017 — New York state's governor and attorney general say they plan to sue EPA if the agency issues GE a certificate of completion.

Jan. 2, 2018 — The EPA sends a letter to GE noting its decision on a certificate of completion will be delayed until the 5-year review is finalized in early 2018.

Associated Press

http://www.sunherald.com/news/business/article193930214.html

Indiana Well Field Proposed as EPA Cleanup Priority 1/11/18

ANDERSON, IND. Federal officials are considering adding a well field in central Indiana to the national Superfund list for cleanup.

The Indiana Department of Environmental Management referred the Wheeler well field in Anderson to the U.S. Environmental Protection Agency for long-term cleanup funding.

There is a 60-day public comment period before sites can be added to the EPA's national priorities list.

The state environmental agency reported finding volatile organic compounds, including trichloroethene, tetrachloroethene and dichloroethene, in the finished water at the area's treatment plant in 2011. Vinyl chloride was also found in raw water in 2013.

The origins of the contaminants remain unknown despite several investigations.

The EPA said contamination has been identified in three of the area's eight wells, which provide water to 13,000 Anderson residents.

Officials said the city's drinking water is safe and tested quarterly, the Herald Bulletin reported .

"Water produced by the city of Anderson's Water Department meets all state and federal safety standards and the environmental work provided through the Superfund program will help ensure continued water safety and quality," said Bruno Pigott, commissioner of the state's environmental management department.

Neal McKee, director of the city's water department, said that Anderson installed air strippers at the treatment plant in 2000. He said the air strippers have been efficiently removing the contaminants.

McKee also said it's common to find contaminants in well water.

The city will continue to use the site as a water source until the construction of a new treatment plant and work on additional wells in the Lafayette field are completed, according to McKee. He said the transition should occur within the next 18 months.

Mayor Thomas Broderick Jr. said the city will keep ensuring that residents have a safe drinking water supply regardless of the Superfund site decision.

Inside EPA

https://insideepa.com/daily-feed/epa-readies-details-cpp-repeal-listening-sessions

EPA Readies Details on CPP Repeal 'Listening Sessions"

1/10/18

EPA in a new court filing is pledging to soon release details for three upcoming "listening sessions" on its proposal to rescind the Obama-Era Clean Power Plan (CPP) utility greenhouse gas rule, saying that and other regulatory efforts justify an appellate court continuing to hold litigation over the rule in abeyance.

The information comes in a Jan. 10 EPA status report West Virginia, et al. v. EPA, et al., which is pending in the U.S. Court of Appeals for the District of Columbia Circuit.

The report comes as the court's latest 60-day pause of the litigation has expired, meaning judges will once again have to decide whether to extend the abeyance while EPA develops its rule to rescind the CPP and a possible replacement rule.

Alternatively, the court could issue a ruling on the merits of the Obama-era rule, or it could remand the rule back to EPA. Environmentalists have pushed for either of these two options, arguing that extending the litigation is problematic because the rule has been stayed by the Supreme Court pending the resolution of lawsuits.

The agency's report largely reiterates prior announcements regarding its process to repeal the CPP, though it reveals that it will soon publish a Federal Register notice announcing dates and locations for three listening sessions on the plan.

EPA has previously said those sessions would be held in San Francisco; Gillette, WY; and Kansas City, MO, but it did not provide further details. Those events come after a Nov. 28-29 public hearing in Charleston, WV.

When it announced the West Virginia hearing, EPA also extended the deadline to submit formal comments on the proposal until Jan. 16.

Its latest status report does not say it is further extending that deadline. However, it does say that the forthcoming Register notice will outline plans for "keeping the record open for 30 days after the last listening session."

It is not clear whether that move will allow any interested party to submit comments until that date -- essentially extending the comment deadline -- or whether it is intended to allow only comments submitted during the listening sessions to be included in the rulemaking record.

EPA did not respond to a request to clarify this issue.

Bloomberg

https://www.bloomberg.com/news/articles/2018-01-11/wal-mart-raises-u-s-hourly-wage-to-11-in-wake-of-tax-overhaul

Wal-Mart Raises U.S. Hourly Wage to \$11 in Wake of Tax Overhaul By Matthew Boyle 1/11/18

<u>Wal-Mart Stores Inc.</u> is boosting its starting hourly wage to \$11 and delivering bonuses to employees, capitalizing on the U.S. tax overhaul to stay competitive in a tightening labor market.

The increase takes effect next month and will cost \$300 million on top of wage hikes that were already planned, the Bentonville, Arkansas-based retailer said Thursday. The one-time bonus of up to \$1,000 is based on seniority and will amount to an additional \$400 million. The company is also expanding its maternity and parental leave policy and adding an adoption benefit.

"Tax reform gives us the opportunity to be more competitive globally and to accelerate plans for the U.S.," Chief Executive Officer Doug McMillon said in the statement.

Wal-Mart, the nation's largest private employer, has fought in recent years to improve its image in the U.S., as it weathered criticism over its treatment of employees. With the wage increase and bonus payment, the world's biggest retailer seeks to even its <u>pay gap</u> with resurgent rival Target Corp., while simultaneously sending a high-profile thank you to the U.S. government for slashing the corporate tax rate.

Louisville Courier Journal

https://www.courier-journal.com/story/tech/science/watchdog-earth/2018/01/09/gov-matt-bevin-laments-hubbub-climate-joke-while-dismissing-science-and-al-gore/1016741001/

Gov. Matt Bevin Laments 'Hubbub' From Climate 'Joke,' While Dismissing Science and Al Gore By James Bruggers 1/9/18

But before his 10-minute segment was done on Cincinnati radio station 55KRC, the businessman-turned-politician was dead serious as he dismissed mainstream climate science and punched at an old familiar target of conservatives – former Vice President Al Gore, who has made fighting global warming his calling.

In some of Bevin's more expansive commentary on climate change, the conservative Christian and liberal arts major - East Asian Studies - acknowledged that "weather has been changing, no question about it."

It's always been changing, he went on to tell talk show host Brian Thomas, citing past ice ages and the frigid 1970s.

"But this idea that we all need to be held hostage to a handful of people who contribute nothing to the wealth of this nation, who then will, in turn, shut us down, led by puppeteers like Al Gore, for the lining of their own pockets, in order to make us jump through various regulatory hoops, as if somehow, we, mankind is solely responsible and is solely going to be the solution, is ludicrous."

That's a lot to unpack.

But at its core, the comment shows the wide gap that exists between the governor and climate scientists, and a significant level of distrust in scientific and political institutions. It also hints at his brand of conservative Christian faith.

Those are not unfamiliar themes in Republican circles, polling shows.

Indeed, there are natural climate cycles.

The large <u>majority</u> of climate scientists conclude that the warming in recent decades has been driven by human activities, including the burning of Kentucky coal.

We are at risk of pushing our climate system toward abrupt, unpredictable, and potentially irreversible changes with highly damaging impacts, according to the American Association for the Advancement of Science.

The sooner we act, the lower the risk and cost, AAAS says.

The U.S. military sees climate change as <u>a threat-multiplier</u> that could destabilize populations and lead to war, while putting American assets such as military bases along low-lying coastal areas at risk from sea-level rise. President Trump signed <u>a military defense bill</u> in December that describes climate change as an urgent threat to American security and details the challenges climate change poses to U.S. military operations worldwide.

Bevin acknowledged his tweet had caused "a hubbub."

"I don't know whether I am just amused or just sad by the reaction of so many people to what is ... I mean, the idea that any one political election affects weather is so ridiculously preposterous. Anyone who sees this anything other than a joke, I can't even begin to fathom."

After Courier Journal wrote about the tweet, a robust debate ensued on social media, with many people objecting to the governor's comments. Others chimed in with defenses or a call for people to chill out.

Still, Bevin acknowledged without detail that we need to be "good stewards of the Earth" and to be "responsible with respect to our impact," even while further dismissing climate change concerns.

They are out of our control, he argued, risking criticisms from some who would object to a governor allowing faith to influence public policy.

"The idea," he said, "that somehow we created this solely and need to fix it solely is an absolutely preposterous assumption of the authority and power of man as related to the planet."

The Hill

http://thehill.com/homenews/senate/368407-congress-barrels-toward-another-shutdown-crisis

Congress Barrels Toward Another Shutdown Crisis

By Jordain Carney 1/10/18

Lawmakers are scrambling to avoid a government shutdown as they barrel toward another funding deadline without a clear path forward.

GOP leadership is remaining tightlipped about their plan, with Senate Majority Leader Mitch McConnell (R-Ky.) and Speaker Paul Ryan (R-Wis.) declining to outline their next steps before a Jan. 19 deadline.

They are expected to offer a short-term stopgap measure given the fast-approaching deadline and a failure to lockdown a deal on raising spending ceilings for defense and nondefense.

"I think if we are able to reach an agreement, it will still take a little bit of time to prepare the omnibus," McConnell told reporters this week during a leadership press conference, in a sign that a stopgap could be coming.

"But I'm not ready to make an announcement yet about the way forward," he said.

If the GOP does move to a short-term measure, Democrats are tightlipped about whether they'll go along with the plan.

Republicans are accusing Democrats of holding the government "hostage" over demands to protect immigrants known as "Dreamers" who fear the end of an Obama-era program could risk their deportation beginning in March.

Democrats believe they have leverage to quickly get a deal on the Deferred Action for Childhood Arrivals (DACA) program because Republicans need their help to keep the government open.

But GOP leadership appears skeptical that Democrats would ultimately force a shutdown over the issue before a midterm election in which 10 senators are up for reelection in states won by President Trump.

"It's amazing that we're five days from the [continuing resolution] expiring and I can't tell you what would be in a [continuing resolution], or whether or not we're going to have caps," Rep. <u>Steny Hoyer</u> (D-Md.) told reporters Wednesday.

He added that he "can't tell you what Democrats will or will not do because I do not know the substance."

Lawmakers face an abbreviated work schedule because of next week's Martin Luther King Jr. holiday, but have a laundry list of issues confronting them. A controversial surveillance program, the Children's Health Insurance Program (CHIP) and the National Flood Insurance Program are all scheduled to soon expire.

Senate Minority Leader <u>Charles Schumer</u> (D-N.Y.) reiterated Wednesday that he wants an agreement by the next week's deadline that folds in immigration, health care and disaster money.

But he's refused to say if he will whip Senate Democrats against a stopgap if an immigration deal is not reached.

House Democrats refused to put up the votes for the Dec. 22 stopgap, but Ryan was able to wrangle together enough of his caucus to pass it without their help. Seventeen Senate Democrats also supported the last government funding bill.

Progressive lawmakers and outside group are putting new pressure on the party to flex its muscle and block another spending bill that falls short of their demands.

Sen. <u>Dick Durbin</u> (D-III.) declined to speculate about if more of his caucus would oppose the next funding deal without a fleshed out DACA agreement after Trump and lawmakers agreed to the parameters of a deal at the White House.

Republicans are also weighing adding disaster relief funding and a five-year extension of CHIP into the bill, which could make it harder for Democrats to vote against a stopgap that includes some of their priorities.

Sen. <u>Orrin Hatch</u> (R-Utah) said he is urging GOP leadership to attach a long-term CHIP reauthorization to the continuing resolution.

"I think we'll get CHIP done," he said, while warning that lawmakers are "playing a lot of games."

House GOP leadership will need to navigate pushback from defense and fiscal hawks, who have bristled over keeping the government running on short-term measures. The next short-term spending bill would be the fourth passed by Congress in a row.

Rep. <u>Mark Meadows</u> (R-N.C.), the chairman of the House Freedom Caucus, declined to say on Wednesday how his members would vote but noted that many are worried.

"We're sitting on the edge of ... our fourth [continuing resolution] and I think at this point it is troubling that we have not executed a more comprehensive plan," he said.

Meadows, who predicted the next stopgap could stretch into March, hopes leadership will outline their plan for government funding during a conference meeting scheduled for Thursday but "the process of having four people ... agree what's best for America has not produced good results."

House GOP leaders struggled for days leading up to the Dec. 22 deadline to find a path that could secure 218 votes. They planned to pass a full year of defense spending with a short-term fix for the rest of the government, but scrapped that plan amid pushback.

Senate Majority Whip <u>John Cornyn</u> (R-Texas) initially indicated this week that disaster funding would be included in next week's stopgap but hedged on Wednesday, noting that it was up to the House, which will need to move first on the spending bill.

The House passed an \$81 billion bill last month to help communities impacted by a recent spate of hurricanes and wildfires. House GOP leadership had to separate that legislation from the spending bill because of pushback from fiscal hawks, and senators are looking at making changes to the bill.

Asked if he was concerned that the House GOP leadership would have a similar "drama" with next week's bill, Cornyn quipped: "Is there any other way?"

Associated Press

https://apnews.com/cb0ef682ea534ff0b5d31e7c054a079e/APNewsBreak:-7-Eleven-probe-opens-new-front-on-immigration

Immigration Agents Descend on 7-Eleven Stores in 17 States

By Elliot Spagat and Nomaan Merchant 1/11/18

LOS ANGELES (AP) — Seven immigration agents filed into a 7-Eleven store before dawn Wednesday, waited for people to go through the checkout line and told arriving customers and a driver delivering beer to wait outside. A federal inspection was underway, they said.

Within 20 minutes, they verified that the cashier had a valid green card and served notice on the owner to produce hiring records in three days that deal with employees' immigration status.

The well-rehearsed scene, executed with quiet efficiency in Los Angeles' Koreatown, played out at about 100 7-Eleven stores in 17 states and the District of Columbia, a rolling operation that officials called the largest immigration action against an employer under Donald Trump's presidency.

The employment audits and interviews with store workers could lead to criminal charges or fines. And they appeared to open a new front in Trump's expansion of immigration enforcement, which has already brought a 40 percent increase in deportation arrests and pledges to spend billions of dollars on a border wall with Mexico.

A top official at U.S. Immigration and Customs Enforcement said the audits were "the first of many" and "a harbinger of what's to come" for employers.

"This is what we're gearing up for this year and what you're going to see more and more of is these large-scale compliance inspections, just for starters," said Derek Benner, acting head of ICE's Homeland Security Investigations, which oversees cases against employers.

"It's not going to be limited to large companies or any particular industry - big, medium and small," he said.

After the inspections, officials plan to look at whether the cases warrant administrative action or criminal investigations, Benner told The Associated Press.

7-Eleven Stores Inc., based in Irving, Texas, said in a statement that the owners of its franchises are responsible for hiring and verifying work eligibility. The chain with more than 8,600 convenience stores in the U.S. said it has previously ended franchise agreements for owners convicted of breaking employment laws.

Unlike other enforcement efforts that have marked Trump's first year in office, Wednesday's actions were aimed squarely at store owners and managers, though 21 workers across the country were arrested on suspicion of being in the country illegally.

Illegal hiring is rarely prosecuted, partly because investigations are time-consuming and convictions are difficult to achieve because employers can claim they were duped by fraudulent documents or intermediaries. Administrative fines are discounted by some as a business cost.

Amy Peck, an Omaha, Nebraska, immigration attorney who represents businesses, said an employer crackdown will never work because the government has limited resources and there are many jobs that people who are in the country legally do not want.

"When these audits occur, the employees scatter in the wind and go down the street and work for somebody else," Peck said. "You're playing whack-a-mole."

President George W. Bush's administration pursued high-profile criminal investigations against employers in its final years with dramatic pre-dawn shows of force and large numbers of worker arrests. In 2008, agents arrived by helicopter at the Agriprocessors meatpacking plant in Postville, Iowa, and detained nearly 400 workers. Last month, Trump commuted the 27-year prison sentence of Sholom Rubashkin, former chief executive of what was the nation's largest kosher meatpacking operation.

President Barack Obama's administration more than doubled employer audits to more than 3,100 a year in 2013, shunning Bush's flashier approach. John Sandweg, an acting ICE director under Obama, said significant fines instilled fear

in employers and avoided draining resources from other enforcement priorities, which include child exploitation, human trafficking and money laundering.

Wednesday's audits arose from a 2013 investigation that resulted in charges against nine 7-Eleven franchisees and managers in New York and Virginia. Eight have pleaded guilty and were ordered to pay more than \$2.6 million in back wages, and the ninth was arrested in November.

The managers used more than 25 stolen identities to employ at least 115 people in the country illegally, knowing they could pay below minimum wage, according to court documents.

Neither 7-Eleven nor its parent company, Seven & I Holding Co. based in Tokyo, was charged in the case.

Julie Myers Wood, former head of ICE during the Bush administration, said the most recent inspections showed that immigration officials were focusing on a repeat violator. Part of the problem, Wood said, is the lack of "a consistent signal" between administrations that the U.S. government will prosecute employers who hire immigrants without legal status.

Some immigration hardliners have been pressing Trump to move against employers. Mark Krikorian, director of the Center for Immigration Studies, said the inspections offered "a good sign" that the administration was serious about going after employers. But, he said, the administration would need to go beyond audits.

"It's important for Trump to show that they're not just arresting the hapless schmo from Honduras but also the politically powerful American employer," he said.

States with 7-Eleven stores targeted Wednesday were California, Colorado, Delaware, Florida, Illinois, Indiana, Maryland, Michigan, Missouri, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Texas and Washington.

In Los Angeles' Koreatown, agents gathered in a grocery store parking lot and drove through side streets in unmarked cars to their target location.

The manager was in Bangladesh and the owner, reached by phone, told the clerk to accept whatever documents were served. The clerk told agents he had no knowledge of documents required to prove eligibility to work and was asked to pass along brochures for voluntary programs aimed at better compliance with immigration laws.

"We need to make sure that employers are on notice that we are going to come out and ensure that they're being compliant," Benner said. "For those that don't were going to take some very aggressive steps in terms of criminal investigations to make sure that we address them and hold them accountable."

Wall Street Journal

https://blogs.wsj.com/moneybeat/2018/01/10/whispers-of-80-oil-are-growing-louder/

Whispers of \$80 Oil Are Growing Louder

By Alison Sider 1/10/18

Oil prices have been grinding higher and higher, spurring forecasters to predict they could hit \$80 a barrel this year.

Oil is already trading at its highest levels in three years after a 22% gain for U.S. crude futures over the past 12 months, and some market watchers expect prices to take out new milestones as the rally continues in 2018.

On Wednesday, U.S. crude futures <u>rose 0.97% to \$63.57 a barrel</u> and Brent, the global benchmark, was up 0.55% at \$69.20 a barrel.

Byron Wien, vice chairman of the Private Wealth Solutions group at Blackstone, put \$80 West Texas Intermediate on his annual list of 10 surprises in store for markets this year.

"Demand is going to continue to increase faster than supply," he said in an interview. "It's out of consensus, but people are underestimating the expanding middle class in the developing world and their resultant demand."

Shrinking inventories, commitment by the Organization of the Petroleum Exporting Countries to cut output through the year, and only modest production growth from outside the group could all also push prices higher, he said.

Production cuts by OPEC and other major producers and unexpectedly strong demand were a potent mix last year, helping pull prices out of a three year downturn.

Citigroup also said \$80 is a possibility. In a note Tuesday, the bank said the right combination of geopolitical crises could tip crude prices into the \$70 to \$80 range. With supplies already so tight, any unexpected disruption could cause prices to surge.

Much of last year was relatively calm in the oil world, with unexpected interruptions reducing supplies by about 2 million barrels a day at the end of last year—half the 2016 peak. But there are looming risks to production in Iran, Iraq, Libya, Nigeria, and Venezuela.

"After hitting a 5-year low in September 2017, global oil supply disruptions could materially increase in 2018" and and in particular from OPEC countries, the Citi analysts said.

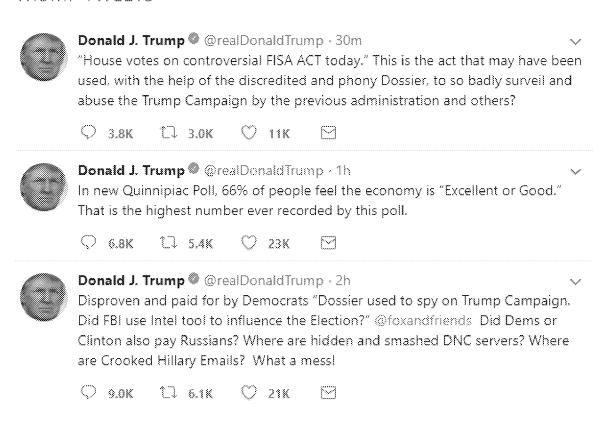
Still, others remain skeptical. Analysts at Commerzbank said Wednesday that market participants are ignoring the risks of an onslaught of new production from U.S. shale—something that looks increasingly likely at these high prices.

"Selective perception is the reason why the market is completely ignoring this just now. Attention is paid only to news that tallies with the picture of rising prices," the analysts wrote.

Citi also cautioned in a separate note last week that high prices might not last.

"Higher oil prices (WTI [greater than] \$60, Brent [greater than] \$65) now will lead to a correction later in the year," analysts wrote.

TRUMP TWEETS



EPA News Highlights 1.11.18

[HYPERLINK \I "_M_Live"]

The state of Michigan is suing Wolverine World Wide in federal court to recoup costs associated with an expansive probe into drinking water contamination, a move concurrent with the U.S. Environmental Protection Agency increasing the federal government's role in the toxic chemical investigation. On Wednesday, Jan. 10, the EPA ordered Wolverine to conduct more investigation into other toxic chemicals from the shoe company's former riverside tannery that have contaminated groundwater and the Rogue River north and south of Rockford.

[HYPERLINK \I "_Politico:_Morning_Energy"]

GET THE LEAD OUT? EPA is weighing the possibility of replacing every lead drinking water pipe in the country... SUPERFUND TWEAKS POSSIBLE IN 2018: Rep. John Shimkus, chairman of the Energy and Commerce Environment Subcommittee, told ME he'll examine potential changes to the Superfund statute during 2018. MORE TIME COMING? Comments on EPA's repeal of the Clean Power Plan are (as of yet) still due by the end of the day next Tuesday. An extension is very likely, and sources last week told Pro's Emily Holden that EPA is planning one.

[HYPERLINK \I "_Poughkeepsie_Journal"]

The Hudson River cleanup appears to be stuck at a crossroads. In a much-anticipated response to General Electric's request for a certificate of completion for its cleanup of PCBs, the U.S. Environmental Protection Agency said in a Jan. 2 letter it is delaying judgment until it finalizes the 5-year review of the river's recovery. The Hudson River PCB (polychlorinated biphenyls) cleanup is one of the largest environmental cleanups in modern history. From 1947 to 1977, GE dumped an estimated 1.3 million pounds of the oily fire retardant and insulator into the river from its manufacturing plants in Hudson Falls and Fort Edward. Under a 2006 consent decree with the EPA, the company was held responsible for the entire 197-mile Superfund site, but specifically required to clean up 40 miles of the upper river.

[HYPERLINK \I "_Associated_Press"]

Federal officials are considering adding a well field in central Indiana to the national Superfund list for cleanup. The Indiana Department of Environmental Management referred the Wheeler well field in Anderson to the U.S. Environmental Protection Agency for long-term cleanup funding. There is a 60-day public comment period before sites can be added to the EPA's national priorities list.

[HYPERLINK \I "_Inside_EPA"]

EPA in a new court filing is pledging to soon release details for three upcoming "listening sessions" on its proposal to rescind the Obama-Era Clean Power Plan (CPP) utility greenhouse gas rule, saying that and other regulatory efforts justify an appellate court continuing to hold litigation over the rule in abeyance. The agency's report largely reiterates prior announcements regarding its process to repeal the CPP, though it reveals that it will soon publish a Federal Register notice announcing dates and locations for three listening sessions on the plan.

National News Highlights 1.11.18

[HYPERLINK \I "_Bloomberg"]

Wal-Mart Stores Inc. is boosting its starting hourly wage to \$11 and delivering bonuses to employees, capitalizing on the U.S. tax overhaul to stay competitive in a tightening labor market. The increase takes effect next month and will cost \$300 million on top of wage hikes that were already planned, the Bentonville, Arkansas-based retailer said Thursday. "Tax reform gives us the opportunity to be more competitive globally and to accelerate plans for the U.S.," Chief Executive Officer Doug McMillon said in the statement.

[HYPERLINK \I " Louisville Courier Journal"]

It was just a joke, Gov. Matt Bevin said Tuesday, about the Twitter post he shared on a cold Friday night that credited President Donald Trump with fixing global warming. It's always been changing, he went on to tell talk show host Brian Thomas, citing past ice ages and the frigid 1970s. "But this idea that we all need to be held hostage to a handful of

people who contribute nothing to the wealth of this nation, who then will, in turn, shut us down, led by puppeteers like Al Gore, for the lining of their own pockets, in order to make us jump through various regulatory hoops, as if somehow, we, mankind is solely responsible and is solely going to be the solution, is ludicrous."

[HYPERLINK \I "_The_Hill"]

Lawmakers are scrambling to avoid a government shutdown as they barrel toward another funding deadline without a clear path forward. GOP leadership is remaining tightlipped about their plan, with Senate Majority Leader Mitch McConnell (R-Ky.) and Speaker Paul Ryan (R-Wis.) declining to outline their next steps before a Jan. 19 deadline. They are expected to offer a short-term stopgap measure given the fast-approaching deadline and a failure to lockdown a deal on raising spending ceilings for defense and nondefense.

[HYPERLINK \I "_Associated_Press_1"]

Seven immigration agents filed into a 7-Eleven store before dawn Wednesday, waited for people to go through the checkout line and told arriving customers and a driver delivering beer to wait outside. A federal inspection was underway, they said. The employment audits and interviews with store workers could lead to criminal charges or fines. And they appeared to open a new front in Trump's expansion of immigration enforcement, which has already brought a 40 percent increase in deportation arrests and pledges to spend billions of dollars on a border wall with Mexico.

[HYPERLINK \I "_Wall_Street_Journal"]

Oil prices have been grinding higher and higher, spurring forecasters to predict they could hit \$80 a barrel this year. Oil is already trading at its highest levels in three years after a 22% gain for U.S. crude futures over the past 12 months, and some market watchers expect prices to take out new milestones as the rally continues in 2018.

[HYPERLINK \I "_TRUMP_TWEETS_1"]

M Live

[HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2018/01/wolverine_deq_pfas_lawsuit.html"] Michigan Sues Wolverine as EPA Deepens PFAS Investigation
By Garret Ellison, 11/10/18

The state of Michigan is suing Wolverine World Wide in federal court to recoup costs associated with an [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/12/algoma_township_pfas_results.html"] into drinking water contamination, a move concurrent with the U.S. Environmental Protection Agency increasing the federal government's role in the toxic chemical investigation.

On Wednesday, Jan. 10, the EPA [HYPERLINK "https://www.epa.gov/newsreleases/epa-orders-further-assessment-work-wolverine-tannery-landfill-rockford-michigan"] Wolverine to conduct more investigation into other toxic chemicals from the shoe company's former riverside tannery that have contaminated groundwater and the Rogue River north and south of Rockford.

Meanwhile, the state wasted no time filing in U.S. District Court in Grand Rapids after new groundwater cleanup criteria for PFOS and PFOA, two per- and polyfluoroalkyl substances known as PFAS or PFCs, took effect Wednesday.

The new [HYPERLINK "http://www.mlive.com/news/index.ssf/2018/01/michigan_pfos_pfoa_part_201_cr.html"] give the state legal power to compel pollution cleanup and could force Wolverine to pay for municipal water hookups in areas where wells have been contaminated by PFOS and PFOA at concentrations above 70 parts-per-trillion.

Michigan could levy fines against Wolverine if necessary.

Until now, Wolverine's private well testing and home filter installation have been voluntary actions because PFAS are unregulated contaminants in drinking water.

Historical Wolverine waste spread on farms as crop fertilizer and dumped in landfills and gravel pits has contaminated hundreds of private drinking water wells in the Rockford and Belmont areas of Kent County -- [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2018/01/pfas_blood_test_ppt.html"].

Waste dumped at the [HYPERLINK

"http://www.mlive.com/news/index.ssf/2017/09/wolverine_beltline_landfill_pf.html"] and the former [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/10/wolverine_waste_boulder_creek.html"] may have also contaminated the Plainfield Township municipal supply.

The Michigan Department of Environmental Quality said that although Wolverine has cooperated with requests for resources, testing and alternative water, the lawsuit formalizes the process, timelines and expectations the state has moving forward.

The suit does not stop current investigation or testing.

"Our new state cleanup standard now gives us the ability to take additional legal actions such as this, which provides the state with more options to ensure long-term compliance plans are in place and enforced," said Heidi Grether, DEQ director.

Wolverine issued a statement pledging its "continued commitment" to working with the DEQ and the EPA, which formally [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/12/epa_wolverine_pfas.html"] the investigation late last month to conduct well and river testing, and said Wednesday it's now-larger role in the Wolverine investigation is a "coordinated enforcement approach" with Michigan.

The state's action was filed under the federal Resource Conservation and Recovery Act (RCRA) and Part 201 of the state's Natural Resources and Environmental Protection Act (NREPA).

Michigan wants a judge to put Wolverine on the hook for "long-term, reliable drinking water supplies," response actions to protect human health and the environment from the toxic chemicals and cover past and future cleanup and enforcement costs. It also seeks "costs related to health assessments or health-effect studies carried out under the supervision, or with the approval of, the Michigan Department of Health and Human Services."

Wolverine has hired a toxicologist to cast doubt on connections between PFAS and diseases like cancer, thyroid problems, and developmental affects exposure has been linked to.

Plainfield Township has also been negotiating with Wolverine to pay for treatment plant upgrades to filter low levels of PFAS from its finished water supply and [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/11/township_expects_wolverine_to.html"] to homes with polluted wells.

The filing names the [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/12/house_street_pfas_plume_model.html"] and the former [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/11/extremely_high_pfas_levels_fou.html"], which was demolished in 2010. Combined PFOS and PFOA in groundwater at the House Street dump has been found at 44,000-ppt, and in groundwater under the tannery grounds next to the Rogue River at 490,000-ppt.

PFAS in the Rogue River has been found at 18.4-ppt.

As of this month, roughly 15 square miles of contiguous area in Plainfield and Algoma townships as well as the city of Rockford are in an established PFAS testing zone. So far, PFOS and PFOA above the EPA 70-ppt health advisory level have been found in 78 wells.

Grether said the filing helps provide a "clearly defined path forward to implement permanent solutions for the community."

The state filing comes a day before Varnum Law, a firm representing residents [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/11/varnum_wolverine_lawsuit.html"] Wolverine, was set to file its [HYPERLINK "http://www.mlive.com/news/grand-rapids/index.ssf/2017/10/wolverine_rcra_intent_to_sue.html"] under RCRA to force cleanup at the House Street dump.

Varnum partner Aaron Phelps said the firm gave DEQ notice of its intent to sue Wolverine to force remediation, including extending municipal water to affected residents, "if DEQ did not fulfill its obligations."

"DEQ had 90 days from our notice to take action, which would have expired tomorrow," Phelps [HYPERLINK "https://www.facebook.com/groups/Varnumpfasgroup/854456278078525/"].

"Yesterday, DEQ announced that it was enacting PFAS rules in order to give itself authority to bring enforcement action. Those rules went into effect today, and no coincidence, DEQ filed suit today. While we wish DEQ would have acted months ago, and without our prodding, we are glad something is finally happening."

On the federal side, the EPA has ordered Wolverine to further investigate soil, groundwater and river sediment contaminated with arsenic, chromium, mercury and ammonia in addition to PFAS. It's the EPA's first major action related to Wolverine's former tannery since 2011, when, despite pleas from concerned local citizens for inclusion of the site on the Superfund list, the EPA gave the DEQ control over the property, which has sat nearly untouched since then.

In its order, the EPA wrote that contamination at the tannery grounds and House Street dump constituted an "imminent and substantial endangerment" to public health and the environment as legally defined by the federal Superfund law.

The agency cited the site's proximity to the White Pine Trail and recreational use of the nearby river as potential exposure points where people may come into direct contact with polluted soils and sediment.

EPA has ordered signage and fencing around the tannery site.

The order was signed by Robert Kaplan, acting Region 5 Superfund division director who was [HYPERLINK "http://www.mlive.com/news/index.ssf/2017/12/cathy_stepp_epa.html"]as head of the Chicago office in December.

In a statement, Wolverine said it "remains in discussions with the EPA regarding the tannery and House Street sites, and will collaborate with the EPA on any possible next steps."

Chris Hufnagel, Wolverine vice president and head of strategy, said "the anticipated actions by the MDEQ and EPA stem from efforts already underway and formalize the work and testing already being done by Wolverine."

"This is our hometown and these are our friends, families and neighbors," he said. "We are committed to doing the right thing and seeing this through to the end."

Politico: Morning Energy

[HYPERLINK "https://www.politicopro.com/newsletters/morning-energy/2018/01/how-the-tax-overhaul-is-playing-out-071139"]

Lead, Superfund, CPP and RFS

By Kelsey Tamborrino, 1/11/18

GET THE LEAD OUT? EPA is weighing the possibility of replacing every lead drinking water pipe in the country, Pro's Annie Snider reports. The agency this week asked state and local groups to weigh in on the feasibility of such a task, which is one that falls in line with Administrator Scott Pruitt's so-called war on lead. Participants in an EPA meeting on

Monday said they left feeling that Pruitt is eager to update the Lead and Copper Rule, which hasn't been revised in over a decade. Read [HYPERLINK "https://www.politicopro.com/energy/article/2018/01/epa-broaches-possibility-of-replacing-all-lead-water-lines-277516" \t "_blank"].

REPORT: TOXIC DRINKING WATER IN ALL 50 STATES: The drinking water for more than 170 million Americans contains radioactive elements that may increase the risk of cancer, according to new analysis from the Environmental Working Group of public water test results from 2010-15. See [HYPERLINK "https://www.ewg.org/interactive-maps/2018-radium/" \t "_blank"] that shows radium contamination nationwide and read the EWG report [HYPERLINK "https://www.ewg.org/research/170-million-us-drink-radioactive-tap-water-trump-nominee-faked-data-hide-cancer-risk" \l ".WlaryK6nGM8" \t "_blank"].

SUPERFUND TWEAKS POSSIBLE IN 2018: Rep. [HYPERLINK "https://cd.politicopro.com/member/51620" \t "_blank"], chairman of the Energy and Commerce Environment Subcommittee, told ME he'll examine potential changes to the Superfund statute during 2018. "There's some broken aspects of the Superfund law," he said. ME fans no doubt remember that cleaning up the toxic sites has been a major priority for Pruitt, so perhaps lessons learned there will feed into Shimkus' work.

Oh, and about RFS, Shimkus said his staff had been in touch with Senate Majority Whip [HYPERLINK "https://cd.politicopro.com/member/51170" \t "_blank"]'s office. (Remember the Texan has been pursuing some sort of compromise between biofuels and refining interests.) But he didn't sound super upbeat about the chances: "Of course, I have to look at it and try," he said.

MORE TIME COMING? Comments on EPA's repeal of the Clean Power Plan are (as of yet) still due by the end of the day next Tuesday. An extension is very likely, and sources [HYPERLINK

"https://www.politicopro.com/energy/article/2018/01/sources-epa-moving-quickly-to-write-new-climate-rule-in-2018-266788" \t "_blank"] told Pro's Emily Holden that EPA is planning one. But that's not assured until EPA makes the final call, and some groups are prepping their regulatory responses just in case. Asked when EPA might announce a new deadline, spokeswoman Liz Bowman said the agency would "provide additional details on this shortly once they are finalized." EPA yesterday told the D.C. Circuit Court of Appeals, which is withholding its decision on the Obama-era rule, that the agency will [HYPERLINK "https://www.politicopro.com/energy/whiteboard/2018/01/epa-to-announce-clean-power-plan-hearing-dates-extend-comment-deadline-367527" \t "_blank"] the dates of three additional hearings and hold the record open for 30 days after the last one.

Poughkeepsie Journal

[HYPERLINK "http://www.poughkeepsiejournal.com/story/tech/science/environment/2018/01/11/ge-groups-awaitepa-pcbs/972742001/"]

Hudson River At A Crossroads: GE, Groups Await EPA Decision on PCBs By Amy Wu, 1/11/18

The Hudson River cleanup appears to be stuck at a crossroads.

In a much-anticipated response to General Electric's request for a certificate of completion for its cleanup of PCBs, the U.S. Environmental Protection Agency said in a Jan. 2 letter it is delaying judgment until it finalizes the 5-year review of the river's recovery.

The organization is hoping to complete its review "in early 2018," according to Mary Mears, the EPA Region 2 director of public affairs, at which time it will make a decision. The EPA's conclusion could spark legal action from the state and environmental groups.

The decision to delay was met with immediate support from Gov. Andrew Cuomo, Attorney General Eric Schneiderman, the Department of Environmental Conservation, the Department of Commerce/National Oceanic and Atmospheric Administration, local officials and environmental groups.

"General Electric's cleanup of the Hudson River fails to protect the environment and public health," said Dutchess County Executive Marc Molinaro in a statement issued Jan. 3. "Additional dredging is needed to create jobs and to ensure the river is safe and healthy for all New Yorkers."

The Hudson River PCB (polychlorinated biphenyls) cleanup is one of the largest environmental cleanups in modern history. From 1947 to 1977, GE dumped an estimated 1.3 million pounds of the oily fire retardant and insulator into the river from its manufacturing plants in Hudson Falls and Fort Edward.

Under a 2006 consent decree with the EPA, the company was held responsible for the entire 197-mile Superfund site, but specifically required to clean up 40 miles of the upper river. The dredging started in 2009 and ended in 2015 with the company claiming it invested \$1.7 billion on the cleanup. Since then, there has been no dredging or cleanup of PCBs, a probable carcinogen, in the river.

"The dredging project has been completed. GE completed all commitments to EPA, and EPA has said it was a success," said Mark Behan, the GE spokesman for the Hudson River cleanup.

In a draft of the 5-year report released for public comment in June, the EPA concluded cleanup efforts were implemented successfully and touted "encouraging" data collected since dredging ended."

However, environmental advocates and state officials argue more work needs to be done to restore the health of the Hudson River, a vital source of commerce through tourism, transportation and recreation, and say efforts are specifically needed to clean the lower Hudson, part of which flows between Dutchess and Ulster counties.

The cost of continuing that cleanup could be in the billions. Some state officials fear taxpayers may end up paying that price.

The EPA's decision whether to grant GE's request for a certificate of completion was expected last month, as the organization was required to respond within 365 days of the Dec. 23, 2016 request. Anticipating this, environmental groups, state leaders, local officials in recent months increased pressure on the EPA through phone calls and letter writing. In December, Cuomo and Schneiderman announced the state is prepared to sue the EPA if the agency grants GE the certificate.

The campaigns appear to have played a role in the standstill.

Gary Klawinski, director of the EPA Region 2 Hudson River Field Office team, said the postponement was caused by the amount and "complexity" of public comments related to the impending 5-year review, which will reveal the EPA's stance on the cleanup status. The EPA said it expects to finalize the review in the early part of this year.

Additional letters from state officials and the federal trustees also require more review, Klawinski said.

All parties agree the cleanup is a priority for the state, region and communities at large.

DEC Commissioner Basil Seggos stressed the Hudson River's economic vitality to the region.

"This is a river that should be providing enormous economic and environmental benefits to New Yorkers," said Seggos.

Other unknown factors could also impact the future of the river, including the shifting political climate. The EPA has lost hundreds of staff members since President Donald Trump entered office, according to USA Today Network reports, and the national budget is expected to include cuts to environmental cleanup programs.

Another factor could be the EPA Region 2's newly named Regional Administrator Pete Lopez, who joined the agency in September. Lopez, who served in the New York State Assembly since 2007, was a member of the New York Assembly Committee on Environmental Conservation.

Lower Hudson questioned

Environmental groups, elected officials and many community members argue the cleanup is far from complete, and that it should also include the lower part of the river.

"In terms of upper Hudson, we do think more can be done, and essentially nothing has been done in the lower Hudson," said Manna Jo Greene, environmental action director of Hudson River Sloop Clearwater.

While GE is responsible for the entire Superfund Site based on the 2006 consent decree, the documents state dredging is only required in the 40-miles, the upper stretch north of Albany where the company's manufacturing facilities were once based.

"GE has no obligations in the lower river and all of GEs obligation is in the upper river," Behan said.

The cleanup of the upper part of the river and the lower part are interconnected, some environmental groups argue.

Althea Mullarkey, a public policy analyst at environmental group Scenic Hudson, points to the "spigot" theory, a reference to an idea from the EPA's [HYPERLINK "https://www3.epa.gov/hudson/d_rod.htm"], that PCB cleanup in the upper Hudson affects the lower Hudson too.

Dredging of PCBs in the upper Hudson would reduce the amount of PCBs to the lower Hudson by as much as 20 percent, according to the 2002 Record of Decision.

Mullarkey said GE or the EPA needs to put together a feasibility report to determine the damage and needs in the lower Hudson.

Cleanup definition debated

There are differences among key stakeholders on what a complete cleanup would mean.

GE defines the cleanup within its agreement with the EPA, which it says it has met. Environmental groups say the cleanup is based on water quality, specifically, whether fish can be consumed and whether the water is swimmable.

The state Department of Health warns against anyone eating certain types of fish, such as walleye and white catfish, taken from the from the Hudson River between Dutchess and Ulster counties, and suggests other types, like striped bass, should only be eaten sparingly by people of certain age groups.

There are concerns over people from underserved communities who are eating the fish, and what could be the potential long-term impact on their health.

"People aren't following those house advisories. The fact is, people are being exposed to the PCBs through fish consumption," said Greene at Clearwater.

Greene said a 2010 study by Clearwater that focused on communities such as Peekskill found, despite health advisories against consuming Hudson River fish, "for various reasons people were unaware and eating Hudson River fish and people depending on fishing for subsistence."

Clearwater and other environmental groups continue outreach campaigns in communities warning against consumption.

Natural habitat evaluated

As part of the upper Hudson cleanup, the company is responsible for the natural habitat, the cost of which is being evaluated separately by the Hudson River Natural Resources Trustees, an independent group with representatives from the DEC, NOAA, the U.S. Fish and Wildlife Service and National Park Service. The group has been reviewing the impact, and cost of cleanup and rebuilding habitat, since 1997.

"GE is responsible for the natural resources that were injured or continue to be injured," said Kathryn Jahn, a trustees member representing the Fish and Wildlife Service. "We need to determine what needs to be done for compensation, and we will seek that from GE."

Behan said GE remains "open to discussing these issues with them."

Trustees have identified fish consumption as a factor in endangering populations of birds and mink. In addition, the trustees have examined damage to groundwater, surface water and underwater, as well as the damage caused to natural resources by the dredging and cleanup itself.

Jahn said she could not give details on the assessment or a timeline. She said natural resources claims are resolved by litigation or settlement, the majority being a settlement.

In the meantime, the trustees are pushing the EPA to deny GE the certificate of completion and have sent letters to the EPA's Klawinski.

In a Dec. 13 letter, Jahn, on behalf of the trustees, wrote: "We believe additional PCB removal and robust habitat reconstruction under the Comprehensive Environmental Response, Compensation, and Liability Act remedial program will accelerate the recovery of the river and its resources."

Price tags unknown

Estimating the cleanup of the river's entirety is challenging, since the lower Hudson has yet to be assessed.

GE has said it has invested an estimated \$1.7 billion in the cleanup to date. The company doesn't offer a breakdown of individual projects but said the majority was spent on dredging.

Dredging occurred 24 hours a day, six days a week, seven months a year for six years, according to Behan, who said as many as 500 employees worked on the project at one point.

The company removed 2.75 million cubic yards of mud containing 310,000 pounds of PCBs, more than twice what was originally estimated, which the EPA in the past labeled as a success.

GE is not required to submit a breakdown of project cost information to the EPA, the EPA confirmed.

"When a company signs on we do make sure they have the financial means to take on the work," Kluesner said.

In a 2010 report prepared by GE to a panel of independent scientists who were put together by the EPA to evaluate the first year of dredging, the company reported it spent \$560.9 million on the first phase of the dredging project, including over \$227 million for dredging and more than \$130 million in building dredging facilities including purchasing equipment.

In that report, GE said it spent \$830 million on Hudson River-related cleanup projects and research since 1990.

Scenic Hudson estimates a comprehensive cleanup would cost another \$500 million for the upper Hudson alone. The group also asserts the amount would be half if GE had not stopped dredging in 2015.

"We believe there is more work that needs to be done and estimate it would have only taken another two more seasons of dredging," said Mullarkey. "They rushed to complete it, so we estimate it has doubled the cost."

Environmental groups warn that if GE is issued a certificate of completion, taxpayers will be responsible for the cost of cleanup.

New York state has been preparing for that possibility.

The state has spent \$50 million of studying the PCBs in the river.

Riverkeeper's recent report "How's the Water?", which examined the water quality of the river estuary, [HYPERLINK "http://www.poughkeepsiejournal.com/story/news/local/2017/11/16/hudson-river-watershed-needs-4-8-m-investment-riverkeeper/870612001/"] is needed for wastewater infrastructure in the Hudson River Watershed. It also found 21 percent of the river's estuary samples failed to meet federal swimming guidelines.

The group estimates another \$1.5 billion would be needed for a cleanup of the lower Hudson, given its size.

As for who should be responsible for future cleanup and costs, Seggos said "the polluter should always pay.

"GE outsources its pollution on the environment ... now New York continues to bear some of that cost. Until the accounting of that is complete and the river itself is complete, New Yorkers are bearing that cost," Seggos said.

He added the ultimate damage isn't easily calculated as there has been value lost to the local economies including fisheries and natural resources."

"And there is a stigma associated with the river itself," Seggos said. "Those are enormous costs."

Wait continues

Ned Sullivan, president of Scenic Hudson, said the cleanup of the Hudson River hinges on Lopez, the EPA's regional administrator.

"I pray he will do the right thing," said Sullivan, noting that if a certificate of completion is issued taxpayers would be responsible for the costs of future cleanups.

Riverkeeper is considering litigation if the certificate of completion is issued.

GE said it will engage in post-dredging monitoring by collecting environmental data of water, sediment and fish, and share the data with the EPA and state. GE continues to have roughly a dozen environmental engineers and scientists, some full time and others consultants, working on the project.

However, at a time when state and federal governments are often at odds with each other, there remains uncertainty over the possibility of a complete cleanup.

Seggos acknowledged the "unique and challenging political climate," noting the federal government is not "strong on the environment." Trump has said he will reduce funding for EPA cleanups and science programs.

"On the other hand, we've also heard the word that (EPA Chief Scott Pruitt) appreciates the importance of the Superfund program," he said.

The Hudson River cleanup is a top priority for the DEC, he said.

"This is the biggest Superfund site in the country. It has a long and tortured history, and it's part of the lifeblood of the state," Seggos said.

Amy Wu: 845-451-4529, awu@poughkeepsiejournal.com, Twitter: @Wu_PoJo

Timeline

2002 — The U.S. Environmental Protection Agency releases a Record of Decision, identifying the impact and remedies for cleanup of the Hudson River. It identifies PCBs as contamination and called for dredging.

2006 — GE signs a consent decree with the EPA, an agreement for a cleanup. While responsible for the river's entirety the cleanup is focused on 40 miles of the Upper Hudson.

2009-2015 — GE performs dredging.

2015-present — GE continues sampling of the upper and lower river including water, sediments and fish. New York State's Department of Environmental Conservation conducts sampling too.

December 2016 — GE requests a certificate of completion from the EPA.

June 2017 — The EPA releases for public comment, its second 5-year review of the cleanup.

December 2017 — New York state's governor and attorney general say they plan to sue EPA if the agency issues GE a certificate of completion.

Jan. 2, 2018 — The EPA sends a letter to GE noting its decision on a certificate of completion will be delayed until the 5-year review is finalized in early 2018.

Associated Press

[HYPERLINK "http://www.sunherald.com/news/business/article193930214.html"] Indiana Well Field Proposed as EPA Cleanup Priority 1/11/18

ANDERSON, IND. Federal officials are considering adding a well field in central Indiana to the national Superfund list for cleanup.

The Indiana Department of Environmental Management referred the Wheeler well field in Anderson to the U.S. Environmental Protection Agency for long-term cleanup funding.

There is a 60-day public comment period before sites can be added to the EPA's national priorities list.

The state environmental agency reported finding volatile organic compounds, including trichloroethene, tetrachloroethene and dichloroethene, in the finished water at the area's treatment plant in 2011. Vinyl chloride was also found in raw water in 2013.

The origins of the contaminants remain unknown despite several investigations.

The EPA said contamination has been identified in three of the area's eight wells, which provide water to 13,000 Anderson residents.

Officials said the city's drinking water is safe and tested quarterly, the Herald Bulletin reported .

"Water produced by the city of Anderson's Water Department meets all state and federal safety standards and the environmental work provided through the Superfund program will help ensure continued water safety and quality," said Bruno Pigott, commissioner of the state's environmental management department.

Neal McKee, director of the city's water department, said that Anderson installed air strippers at the treatment plant in 2000. He said the air strippers have been efficiently removing the contaminants.

McKee also said it's common to find contaminants in well water.

The city will continue to use the site as a water source until the construction of a new treatment plant and work on additional wells in the Lafayette field are completed, according to McKee. He said the transition should occur within the next 18 months.

Mayor Thomas Broderick Jr. said the city will keep ensuring that residents have a safe drinking water supply regardless of the Superfund site decision.

Inside EPA

[HYPERLINK "https://insideepa.com/daily-feed/epa-readies-details-cpp-repeal-listening-sessions"] EPA Readies Details on CPP Repeal 'Listening Sessions" 1/10/18

EPA in a new court filing is pledging to soon release details for three upcoming "listening sessions" on its proposal to rescind the Obama-Era Clean Power Plan (CPP) utility greenhouse gas rule, saying that and other regulatory efforts justify an appellate court continuing to hold litigation over the rule in abeyance.

The information comes in [HYPERLINK

"https://insideepa.com/sites/insideepa.com/files/documents/2018/jan/epa2018_0047.pdf"] West Virginia, et al. v. EPA, et al., which is pending in the U.S. Court of Appeals for the District of Columbia Circuit.

The report comes as the court's latest 60-day pause of the litigation has expired, meaning judges will once again have to decide whether to extend the abeyance while EPA develops its rule to rescind the CPP and a possible replacement rule.

Alternatively, the court could issue a ruling on the merits of the Obama-era rule, or it could remand the rule back to EPA. Environmentalists have pushed for either of these two options, arguing that extending the litigation is problematic because the rule has been stayed by the Supreme Court pending the resolution of lawsuits.

The agency's report largely reiterates prior announcements regarding its process to repeal the CPP, though it reveals that it will soon publish a Federal Register notice announcing dates and locations for three listening sessions on the plan.

EPA has previously said those sessions would be held in San Francisco; Gillette, WY; and Kansas City, MO, but it did not provide further details. Those events come after a Nov. 28-29 public hearing in Charleston, WV.

When it announced the West Virginia hearing, EPA also extended the deadline to submit formal comments on the proposal until Jan. 16.

Its latest status report does not say it is further extending that deadline. However, it does say that the forthcoming Register notice will outline plans for "keeping the record open for 30 days after the last listening session."

It is not clear whether that move will allow any interested party to submit comments until that date -- essentially extending the comment deadline -- or whether it is intended to allow only comments submitted during the listening sessions to be included in the rulemaking record.

EPA did not respond to a request to clarify this issue.

Bloomberg

[HYPERLINK "https://www.bloomberg.com/news/articles/2018-01-11/wal-mart-raises-u-s-hourly-wage-to-11-in-wake-of-tax-overhaul"]

Wal-Mart Raises U.S. Hourly Wage to \$11 in Wake of Tax Overhaul By Matthew Boyle 1/11/18

[HYPERLINK "https://www.bloomberg.com/quote/WMT:US" \t "_blank" \o "Bloomberg Quote: Wal-Mart"] is boosting its starting hourly wage to \$11 and delivering bonuses to employees, capitalizing on the U.S. tax overhaul to stay competitive in a tightening labor market.

The increase takes effect next month and will cost \$300 million on top of wage hikes that were already planned, the Bentonville, Arkansas-based retailer said Thursday. The one-time bonus of up to \$1,000 is based on seniority and will amount to an additional \$400 million. The company is also expanding its maternity and parental leave policy and adding an adoption benefit.

"Tax reform gives us the opportunity to be more competitive globally and to accelerate plans for the U.S.," Chief Executive Officer Doug McMillon said in the statement.

Wal-Mart, the nation's largest private employer, has fought in recent years to improve its image in the U.S., as it weathered criticism over its treatment of employees. With the wage increase and bonus payment, the world's biggest retailer seeks to even its [HYPERLINK "https://www.bloomberg.com/news/articles/2017-09-25/target-will-raise-minimum-hourly-wage-to-11-to-counter-wal-mart" \t "_blank" \o "Target Will Raise Minimum Hourly Wage to \$11 to Counter Wal-Mart"] with resurgent rival Target Corp., while simultaneously sending a high-profile thank you to the U.S. government for slashing the corporate tax rate.

Louisville Courier Journal

[HYPERLINK "https://www.courier-journal.com/story/tech/science/watchdog-earth/2018/01/09/gov-matt-bevin-laments-hubbub-climate-joke-while-dismissing-science-and-al-gore/1016741001/"]

Gov. Matt Bevin Laments 'Hubbub' From Climate 'Joke,' While Dismissing Science and Al Gore By James Bruggers 1/9/18

But before his 10-minute segment was done on Cincinnati radio station 55KRC, the businessman-turned-politician was dead serious as he dismissed mainstream climate science and punched at an old familiar target of conservatives – former Vice President Al Gore, who has made fighting global warming his calling.

In some of Bevin's more expansive commentary on climate change, the conservative Christian and liberal arts major - East Asian Studies - acknowledged that "weather has been changing, no question about it."

It's always been changing, [HYPERLINK "https://55krc.iheart.com/featured/brian-thomas/content/2017-07-11-gov-matt-bevin-joins-brian-thomas-to-discuss-legislative-wins-this-session/"] talk show host Brian Thomas, citing past ice ages and the frigid 1970s.

"But this idea that we all need to be held hostage to a handful of people who contribute nothing to the wealth of this nation, who then will, in turn, shut us down, led by puppeteers like Al Gore, for the lining of their own pockets, in order to make us jump through various regulatory hoops, as if somehow, we, mankind is solely responsible and is solely going to be the solution, is ludicrous."

That's a lot to unpack.

But at its core, the comment shows the wide gap that exists between the governor and climate scientists, and a significant level of distrust in scientific and political institutions. It also hints at [HYPERLINK "https://www.courier-journal.com/story/news/politics/ky-governor/2016/12/10/conservative-warrior-gov-bevins-first-year/94985678/"].

Those are not unfamiliar themes in Republican circles, polling shows.

Indeed, there are natural climate cycles.

The large [HYPERLINK "https://climate.nasa.gov/scientific-consensus/"] of climate scientists conclude that the warming in recent decades has been driven by human activities, including the burning of Kentucky coal.

We are at risk of pushing our climate system toward abrupt, unpredictable, and potentially irreversible changes with highly damaging impacts, [HYPERLINK "http://whatweknow.aaas.org/get-the-facts/"].

The sooner we act, the lower the risk and cost, AAAS says.

The U.S. military sees climate change as [HYPERLINK "https://climateandsecurity.org/tag/u-s-military/"] that could destabilize populations and lead to war, while putting American assets such as military bases along low-lying coastal areas at risk from sea-level rise. President Trump signed[HYPERLINK "https://www.congress.gov/bill/115th-congress/house-bill/2810/text" \l "toc-H3E4B68F308984585A5207D89C04905A3"] in December that describes climate change as an urgent threat to American security and details the challenges climate change poses to U.S. military operations worldwide.

Bevin acknowledged his tweet had caused "a hubbub."

"I don't know whether I am just amused or just sad by the reaction of so many people to what is ... I mean, the idea that any one political election affects weather is so ridiculously preposterous. Anyone who sees this anything other than a joke, I can't even begin to fathom."

After Courier Journal wrote about the tweet, a robust debate ensued on social media, with many people objecting to the governor's comments. Others chimed in with defenses or a call for people to chill out.

Still, Bevin acknowledged without detail that we need to be "good stewards of the Earth" and to be "responsible with respect to our impact," even while further dismissing climate change concerns.

They are out of our control, he argued, risking criticisms from some who would object to a governor allowing faith to influence public policy.

"The idea," he said, "that somehow we created this solely and need to fix it solely is an absolutely preposterous assumption of the authority and power of man as related to the planet."

The Hill

[HYPERLINK "http://thehill.com/homenews/senate/368407-congress-barrels-toward-another-shutdown-crisis"]

Congress Barrels Toward Another Shutdown Crisis

By Jordain Carney 1/10/18

Lawmakers are scrambling to avoid a government shutdown as they barrel toward another funding deadline without a clear path forward.

GOP leadership is remaining tightlipped about their plan, with Senate Majority Leader [HYPERLINK "http://thehill.com/people/mitch-mcconnell"] (R-Ky.) and Speaker [HYPERLINK "http://thehill.com/people/paul-ryan"] (R-Wis.) declining to outline their next steps before a Jan. 19 deadline.

They are expected to offer a short-term stopgap measure given the fast-approaching deadline and a failure to lockdown a deal on raising spending ceilings for defense and nondefense.

"I think if we are able to reach an agreement, it will still take a little bit of time to prepare the omnibus," McConnell told reporters this week during a leadership press conference, in a sign that a stopgap could be coming.

"But I'm not ready to make an announcement yet about the way forward," he said.

If the GOP does move to a short-term measure, Democrats are tightlipped about whether they'll go along with the plan.

Republicans are accusing Democrats of holding the government "hostage" over demands to protect immigrants known as "Dreamers" who fear the end of an Obama-era program could risk their deportation beginning in March.

Democrats believe they have leverage to quickly get a deal on the Deferred Action for Childhood Arrivals (DACA) program because Republicans need their help to keep the government open.

But GOP leadership appears skeptical that Democrats would ultimately force a shutdown over the issue before a midterm election in which 10 senators are up for reelection in states won by [HYPERLINK "http://thehill.com/people/donald-trump"].

"It's amazing that we're five days from the [continuing resolution] expiring and I can't tell you what would be in a [continuing resolution], or whether or not we're going to have caps," Rep. [HYPERLINK "http://thehill.com/people/steny-hoyer"] (D-Md.) told reporters Wednesday.

He added that he "can't tell you what Democrats will or will not do because I do not know the substance."

Lawmakers face an abbreviated work schedule because of next week's Martin Luther King Jr. holiday, but have a laundry list of issues confronting them. A controversial surveillance program, the Children's Health Insurance Program (CHIP) and the National Flood Insurance Program are all scheduled to soon expire.

Senate Minority Leader [HYPERLINK "http://thehill.com/people/charles-schumer"] (D-N.Y.) reiterated Wednesday that he wants an agreement by the next week's deadline that folds in immigration, health care and disaster money.

But he's refused to say if he will whip Senate Democrats against a stopgap if an immigration deal is not reached.

House Democrats refused to put up the votes for the Dec. 22 stopgap, but Ryan was able to wrangle together enough of his caucus to pass it without their help. Seventeen Senate Democrats also supported the last government funding bill.

Progressive lawmakers and outside group are putting new pressure on the party to flex its muscle and block another spending bill that falls short of their demands.

Sen. [HYPERLINK "http://thehill.com/people/dick-durbin"] (D-III.) declined to speculate about if more of his caucus would oppose the next funding deal without a fleshed out DACA agreement after Trump and lawmakers agreed to the parameters of a deal at the White House.

Republicans are also weighing adding disaster relief funding and a five-year extension of CHIP into the bill, which could make it harder for Democrats to vote against a stopgap that includes some of their priorities.

Sen. [HYPERLINK "http://thehill.com/people/orrin-hatch"] (R-Utah) said he is urging GOP leadership to attach a long-term CHIP reauthorization to the continuing resolution.

"I think we'll get CHIP done," he said, while warning that lawmakers are "playing a lot of games."

House GOP leadership will need to navigate pushback from defense and fiscal hawks, who have bristled over keeping the government running on short-term measures. The next short-term spending bill would be the fourth passed by Congress in a row.

Rep. [HYPERLINK "http://thehill.com/people/mark-meadows"] (R-N.C.), the chairman of the House Freedom Caucus, declined to say on Wednesday how his members would vote but noted that many are worried.

"We're sitting on the edge of ... our fourth [continuing resolution] and I think at this point it is troubling that we have not executed a more comprehensive plan," he said.

Meadows, who predicted the next stopgap could stretch into March, hopes leadership will outline their plan for government funding during a conference meeting scheduled for Thursday but "the process of having four people ... agree what's best for America has not produced good results."

House GOP leaders struggled for days leading up to the Dec. 22 deadline to find a path that could secure 218 votes. They planned to pass a full year of defense spending with a short-term fix for the rest of the government, but scrapped that plan amid pushback.

Senate Majority Whip [HYPERLINK "http://thehill.com/people/john-cornyn"] (R-Texas) initially indicated this week that disaster funding would be included in next week's stopgap but hedged on Wednesday, noting that it was up to the House, which will need to move first on the spending bill.

The House passed an \$81 billion bill last month to help communities impacted by a recent spate of hurricanes and wildfires. House GOP leadership had to separate that legislation from the spending bill because of pushback from fiscal hawks, and senators are looking at making changes to the bill.

Asked if he was concerned that the House GOP leadership would have a similar "drama" with next week's bill, Cornyn quipped: "Is there any other way?"

Associated Press

[HYPERLINK "https://apnews.com/cb0ef682ea534ff0b5d31e7c054a079e/APNewsBreak:-7-Eleven-probe-opens-new-front-on-immigration"]

Immigration Agents Descend on 7-Eleven Stores in 17 States

By Elliot Spagat and Nomaan Merchant 1/11/18

LOS ANGELES (AP) — Seven immigration agents filed into a 7-Eleven store before dawn Wednesday, waited for people to go through the checkout line and told arriving customers and a driver delivering beer to wait outside. A federal inspection was underway, they said.

Within 20 minutes, they verified that the cashier had a valid green card and served notice on the owner to produce hiring records in three days that deal with employees' immigration status.

The well-rehearsed scene, executed with quiet efficiency in Los Angeles' Koreatown, played out at about 100 7-Eleven stores in 17 states and the District of Columbia, a rolling operation that officials called the largest immigration action against an employer under Donald Trump's presidency.

The employment audits and interviews with store workers could lead to criminal charges or fines. And they appeared to open a new front in Trump's expansion of immigration enforcement, which has already brought a 40 percent increase in deportation arrests and pledges to spend billions of dollars on a border wall with Mexico.

A top official at U.S. Immigration and Customs Enforcement said the audits were "the first of many" and "a harbinger of what's to come" for employers.

"This is what we're gearing up for this year and what you're going to see more and more of is these large-scale compliance inspections, just for starters," said Derek Benner, acting head of ICE's Homeland Security Investigations, which oversees cases against employers.

"It's not going to be limited to large companies or any particular industry — big, medium and small," he said.

After the inspections, officials plan to look at whether the cases warrant administrative action or criminal investigations, Benner told The Associated Press.

7-Eleven Stores Inc., based in Irving, Texas, said in a statement that the owners of its franchises are responsible for hiring and verifying work eligibility. The chain with more than 8,600 convenience stores in the U.S. said it has previously ended franchise agreements for owners convicted of breaking employment laws.

Unlike other enforcement efforts that have marked Trump's first year in office, Wednesday's actions were aimed squarely at store owners and managers, though 21 workers across the country were arrested on suspicion of being in the country illegally.

Illegal hiring is rarely prosecuted, partly because investigations are time-consuming and convictions are difficult to achieve because employers can claim they were duped by fraudulent documents or intermediaries. Administrative fines are discounted by some as a business cost.

Amy Peck, an Omaha, Nebraska, immigration attorney who represents businesses, said an employer crackdown will never work because the government has limited resources and there are many jobs that people who are in the country legally do not want.

"When these audits occur, the employees scatter in the wind and go down the street and work for somebody else," Peck said. "You're playing whack-a-mole."

President George W. Bush's administration pursued high-profile criminal investigations against employers in its final years with dramatic pre-dawn shows of force and large numbers of worker arrests. In 2008, agents arrived by helicopter at the Agriprocessors meatpacking plant in Postville, Iowa, and detained nearly 400 workers. Last month, Trump commuted the 27-year prison sentence of Sholom Rubashkin, former chief executive of what was the nation's largest kosher meatpacking operation.

President Barack Obama's administration more than doubled employer audits to more than 3,100 a year in 2013, shunning Bush's flashier approach. John Sandweg, an acting ICE director under Obama, said significant fines instilled fear in employers and avoided draining resources from other enforcement priorities, which include child exploitation, human trafficking and money laundering.

Wednesday's audits arose from a 2013 investigation that resulted in charges against nine 7-Eleven franchisees and managers in New York and Virginia. Eight have pleaded guilty and were ordered to pay more than \$2.6 million in back wages, and the ninth was arrested in November.

The managers used more than 25 stolen identities to employ at least 115 people in the country illegally, knowing they could pay below minimum wage, according to court documents.

Neither 7-Eleven nor its parent company, Seven & I Holding Co. based in Tokyo, was charged in the case.

Julie Myers Wood, former head of ICE during the Bush administration, said the most recent inspections showed that immigration officials were focusing on a repeat violator. Part of the problem, Wood said, is the lack of "a consistent signal" between administrations that the U.S. government will prosecute employers who hire immigrants without legal status.

Some immigration hardliners have been pressing Trump to move against employers. Mark Krikorian, director of the Center for Immigration Studies, said the inspections offered "a good sign" that the administration was serious about going after employers. But, he said, the administration would need to go beyond audits.

"It's important for Trump to show that they're not just arresting the hapless schmo from Honduras but also the politically powerful American employer," he said.

States with 7-Eleven stores targeted Wednesday were California, Colorado, Delaware, Florida, Illinois, Indiana, Maryland, Michigan, Missouri, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Texas and Washington.

In Los Angeles' Koreatown, agents gathered in a grocery store parking lot and drove through side streets in unmarked cars to their target location.

The manager was in Bangladesh and the owner, reached by phone, told the clerk to accept whatever documents were served. The clerk told agents he had no knowledge of documents required to prove eligibility to work and was asked to pass along brochures for voluntary programs aimed at better compliance with immigration laws.

"We need to make sure that employers are on notice that we are going to come out and ensure that they're being compliant," Benner said. "For those that don't were going to take some very aggressive steps in terms of criminal investigations to make sure that we address them and hold them accountable."

Wall Street Journal

[HYPERLINK "https://blogs.wsj.com/moneybeat/2018/01/10/whispers-of-80-oil-are-growing-louder/"] Whispers of \$80 Oil Are Growing Louder
By Alison Sider 1/10/18

Oil prices have been grinding higher and higher, spurring forecasters to predict they could hit \$80 a barrel this year.

Oil is already trading at its highest levels in three years after a 22% gain for U.S. crude futures over the past 12 months, and some market watchers expect prices to take out new milestones as the rally continues in 2018.

On Wednesday, U.S. crude futures [HYPERLINK "https://www.wsj.com/articles/oil-extends-rally-as-stocks-fall-risks-remain-1515580455"] and Brent, the global benchmark, was up 0.55% at \$69.20 a barrel.

Byron Wien, vice chairman of the Private Wealth Solutions group at Blackstone, put \$80 West Texas Intermediate on his annual list of 10 surprises in store for markets this year.

"Demand is going to continue to increase faster than supply," he said in an interview. "It's out of consensus, but people are underestimating the expanding middle class in the developing world and their resultant demand."

Shrinking inventories, commitment by the Organization of the Petroleum Exporting Countries to cut output through the year, and only modest production growth from outside the group could all also push prices higher, he said.

Production cuts by OPEC and other major producers and unexpectedly strong demand were a potent mix last year, helping pull prices out of a three year downturn.

Citigroup also said \$80 is a possibility. In a note Tuesday, the bank said the right combination of geopolitical crises could tip crude prices into the \$70 to \$80 range. With supplies already so tight, any unexpected disruption could cause prices to surge.

Much of last year was relatively calm in the oil world, with unexpected interruptions reducing supplies by about 2 million barrels a day at the end of last year—half the 2016 peak. But there are looming risks to production in Iran, Iraq, Libya, Nigeria, and Venezuela.

"After hitting a 5-year low in September 2017, global oil supply disruptions could materially increase in 2018" and and in particular from OPEC countries, the Citi analysts said.

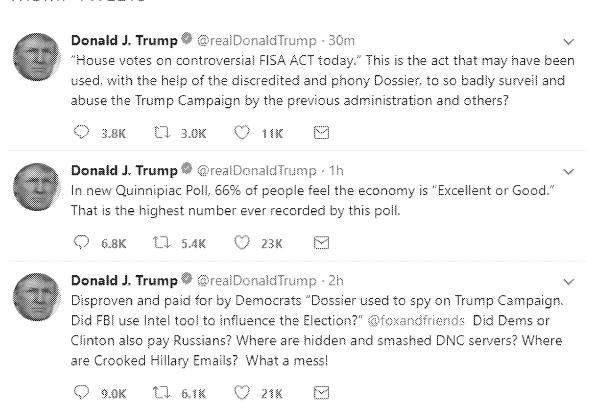
Still, others remain skeptical. Analysts at Commerzbank said Wednesday that market participants are ignoring the risks of an onslaught of new production from U.S. shale—something that looks increasingly likely at these high prices.

"Selective perception is the reason why the market is completely ignoring this just now. Attention is paid only to news that tallies with the picture of rising prices," the analysts wrote.

Citi also cautioned in a separate note last week that high prices might not last.

"Higher oil prices (WTI [greater than] \$60, Brent [greater than] \$65) now will lead to a correction later in the year," analysts wrote.

TRUMP TWEETS



Message

From: Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]

Sent: 10/13/2017 3:14:19 PM

To: Levine, Carolyn [Levine.Carolyn@epa.gov]

Subject: FW: EPA orders corporations to pay for cleanup at Texas toxic site flooded by Harvey

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Gray, David

Sent: Friday, October 13, 2017 8:41 AM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: EPA orders corporations to pay for cleanup at Texas toxic site flooded by Harvey

EPA orders corporations to pay for cleanup at Texas toxic site flooded by Harvey



LM Otero / AP

Members of the Texas Campaign for the Environment prepare to deliver more than 2,300 letters from Texas families to the Environmental Protection Agency's Region VI office in Dallas, Thursday, Oct. 12, 2017. The letters are calling for saving federal cleanup programs under the Trump Administration.

(LM Otero / AP)

Michael Biesecker Associated Press

The Trump administration has handed a rare victory to environmentalists, ordering two big corporations this week to pay \$115 million to clean up a Texas toxic waste site that may have spread dangerous levels of pollution during flooding from <u>Hurricane Harvey</u>.

<u>Environmental Protection Agency</u> Administrator <u>Scott Pruitt</u> signed a directive Wednesday requiring International Paper and McGinnis Industrial Maintenance Corp., a subsidiary of Waste Management Inc., to excavate 212,000 cubic yards of contaminated sediments from the San Jacinto River Waste Pits.

Pruitt visited the Superfund site outside Houston last month following historic rains and flooding from the storm, meeting with local environmental activists who had campaigned for years for approval of a cleanup plan.

Pruitt has said cleaning Superfund sites is among his top priorities, even as he has worked to delay and rollback a wide array of environmental regulations that would reduce air and water pollution. Often Pruitt has done so directly at the behest of industries that petitioned him for relief from what they characterize as overly burdensome and costly regulations.

At the waste pits, both companies opposed the expensive cleanup, arguing that a fabric and stone cap covering the 16-acre site was sufficient. The former site of a demolished paper mill that operated in the 1960s, the island in the middle of the San Jacinto River is heavily contaminated with dioxins — chemicals linked to cancer and birth defects.

"International Paper respectfully disagrees with the decision by the EPA," said Tom Ryan, a spokesman for International Paper. He said removing the existing protective cap "could result in significant damage to public health and the local environment."

Pruitt's decision triggers the beginning of what could be months of negotiations between EPA and the two companies to reach a final settlement. If the companies refuse to comply with Pruitt's order, EPA could sue in federal court to require compliance.

The Associated Press reported Sept. 2 about the risks from flooding at Houston-area Superfund sites, highlighting six prior occasions where the cap at the waste pits required significant repairs. Journalists surveyed seven flooded Superfund sites in and around Houston by boat, vehicle and on foot, including San Jacinto.

The EPA said at the time it was too unsafe for its personnel to visit the sites, and accused the AP in a statement of engaging in "yellow journalism" and creating panic. Nearly one month later, however, the agency confirmed that contaminated sediments at San Jacinto had, in fact, been uncovered by the storm.

A sample collected by an agency dive team from an exposed area at the site showed dioxin levels at 70,000 nanograms per kilogram — more than 2,300 times the level set to trigger a cleanup. Dioxins do not dissolve easily in water but can be carried away with any contaminated sediments and deposited over a wider area.

The EPA says additional testing will now be needed to determine whether the contamination spread and to ensure that the exposed waste material is isolated. Those results should be known in about two weeks, the agency said Thursday.

Meanwhile, workers have temporarily covered the exposed sediments with stone until the final cleanup begins.

The San Jacinto River empties into Galveston Bay, where state health officials have long advised against regularly consuming fish and shellfish due to contamination from dioxins and PCBs. The cleanup plan EPA approved this week requires the construction of a temporary dam to hold back the river while workers use heavy machinery to dig up and remove enough contaminated soil and sentiment to fill about 16,000 dump truck loads.

One of the local environmental advocates who met with Pruitt during his visit last month, Jackie Young, said people living along the river still don't know whether the floodwaters carried toxins to their yards and homes.

"This is a monumental victory and testament to what an engaged community can accomplish," said Young, executive director of Texas Health and Environment Alliance. "We may never know the extent of damage from Hurricane Harvey or numerous other storms, but at least the EPA is putting their best foot forward and moving in the only direction that upholds their mission."

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]

Sent: 10/13/2017 3:14:13 PM

To: Kelly, Albert [kelly.albert@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Darwin, Veronica

[darwin.veronica@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=881C62B1E54142388C1DE2F8E3799C33-GRAY, DAVID]

Sent: 10/12/2017 7:56:04 PM **To**: Bajak, Frank [FBAJAK@ap.org]

Subject: RE: San Jacinto Pits

Frank – here is the link where you can directly subscribe to our releases.

https://www.epa.gov/newsroom/email-subscriptions

From: Bajak, Frank [mailto:FBAJAK@ap.org] **Sent:** Wednesday, October 11, 2017 5:58 PM **To:** Gray, David <gray.david@epa.gov>

Cc: Press <Press@epa.gov> **Subject:** RE: San Jacinto Pits

I found it online. I don't believe we got an email about it.

https://www.epa.gov/newsreleases/san-jacinto-waste-pits-superfund-site-cleanup-plan-approved

From: Bajak, Frank

Sent: Wednesday, October 11, 2017 5:51 PM

To: 'Gray, David' Cc: Press

Subject: San Jacinto Pits

Hi David,

I see a Chron story on EPA approving a plan to remove toxins from the San Jacinto Waste pits. I don't see a news release. Can you confirm the news and the details reported by the Chron? And when will this happen?

Many thanks,

-fb

http://www.chron.com/news/houston-texas/article/EPA-Approves-plan-to-remove-San-Jacinto-Waste-12270828.php

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Friday, September 29, 2017 9:59 AM

To: Bajak, Frank

Cc: Press

Subject: RE: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

Damage was discovered by sampling conducted by the dive team. I haven't seen locations for supplemental sampling but will share as soon as I get them. I am not aware of any testing in residential areas.

David

From: Bajak, Frank [mailto:FBAJAK@ap.org]
Sent: Friday, September 29, 2017 9:13 AM

To: Gray, David <gray.david@epa.gov>

Subject: RE: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

Hi David,

Thanks for the update. Who noticed the damage to the protective cap and when? Did local residents notice it first and alert EPA?

Do you have an estimate of how much waste may have escaped and can you tell me where the supplemental sampling is being done? Are you testing soils and sediment in residential communities near the site?

If you are able to offer a map of where the sampling has been done that would be great.

Many thanks,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak

Cel. **Ex. 6** Signal) Landline: +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu —Wickr, Signal, WhatsApp
Houston, Texas, U.S.A



From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 28, 2017 7:29 PM

Subject: San Jacinto Waste Pits Superfund Site Update 9/28/2017 - BREAKING NEWS

EPA Statement – San Jacinto River Waste Pits Superfund Site Data

DALLAS – EPA is directing the potentially responsible parties of the San Jacinto River Waste Pits Superfund Site in Texas to take immediate action to address damage to the protective cap and high-levels of underlying waste material found at one of the samples on site. EPA received preliminary data from sediment samples collected by EPA's dive team from fourteen areas at the San Jacinto River Waste Pits Superfund site.

Samples from one of the fourteen areas confirmed the protective cap had been damaged and the underlying waste material was exposed. The sample showed dioxins at 70,000 ng/kg. EPA recommend clean up level for the site is 30 ng/kg.

EPA has directed both International Paper and Industrial Maintenance Corporation, the potentially responsible parties (PRPs) for the San Jacinto Waste Pits Superfund site in Harris County, to conduct supplemental sampling to ensure that the exposed waste material is isolated. The dioxin in the waste material does not dissolve easily in water but it can migrate further out into the surrounding sediments. The supplemental sampling will determine the extent, if any, of this migration.

Initial repairs have already been taken at the damaged area where the protective rock was missing. If necessary, EPA will direct additional visual dive operations to check for displacement in the stone cover of the protective cap and more fully evaluate the cap for damage by Hurricane Harvey.

The PRPs developed an Operations, Monitoring, and Maintenance Plan under Federal Order by the EPA and completed work to prevent wastes from continuing to migrate to adjacent areas including the San Jacinto River in July 2011. The Order allows the Agency to require additional measures and investigations deemed necessary by the Agency from its periodic inspection of the protective cap. EPA is exercising that authority today. EPA divers determined that additional measures were necessary.

The PRP conducted similar repairs in December 2015. EPA proposed long-term remedy for the site has 150,000 cubic yards of waste removed and disposed of offsite.

EPA will continue to provide updates about the status of the Superfund site, and continue to work with the PRPs to ensure that risk to human health and the environment is managed as best as possible.

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:18:24 PM

To: Michael Bastasch [mike@dailycallernewsfoundation.org]

CC: Hewitt, James [hewitt.james@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

At Superfund sites, Scott Pruitt could flip his industry-friendly script

The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330

million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

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Sent: 1/23/2018 5:09:14 PM

To: lachlan.markay@thedailybeast.com
CC: Hewitt, James [hewitt.james@epa.gov]

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:09:03 PM

To: Matthew Boyle Breitbart [mboyle@breitbart.com]; pstarr@breitbart.com; Sean Moran [smoran@breitbart.com]

CC: Hewitt, James [hewitt.james@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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The Washington Post Juliet Eilperin & Dennis Brady January 23, 2018

https://www.washingtonpost.com/national/health-science/

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Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

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If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

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Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 5:08:45 PM

To: Erick-Woods Erickson Ex. 6

CC: Hewitt, James [hewitt.james@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]

Sent: 6/7/2018 2:59:01 PM **To**: jhunt@ccu.edu

Subject: FW: EPA Celebrates 500 Days of American Greatness - Preview

Jeff,

Great talking with you.

Below is our press release from earlier this week highlighting our top achievements over the last 500 days. Topline points are:

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty the Auto Industry

Please let me know if you need anything else.

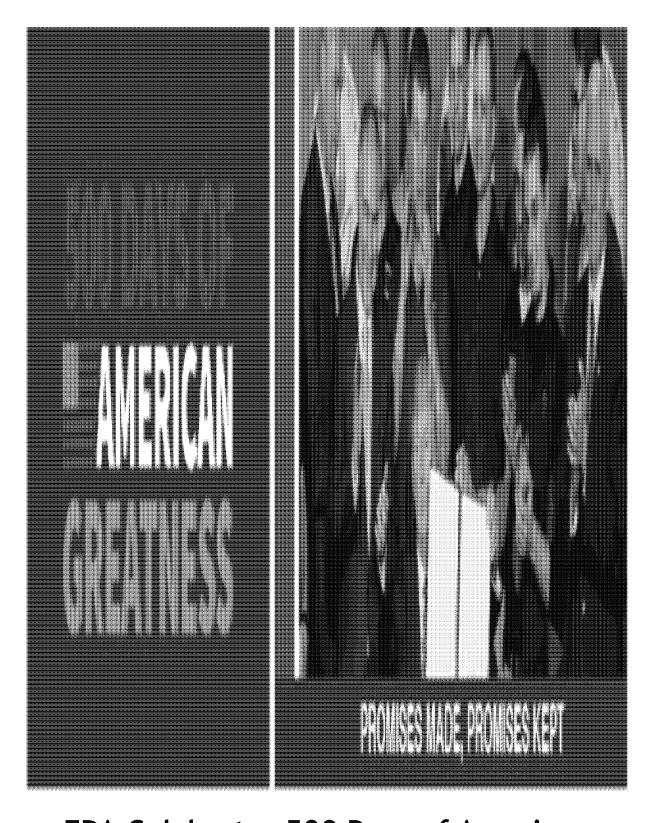
James

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Monday, June 4, 2018 11:57 AM **To:** Hewitt, James hewitt.james@epa.gov>

Subject: EPA Celebrates 500 Days of American Greatness - Preview





EPA Celebrates 500 Days of American Greatness

Notable Policy Achievements

- Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
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Withdrawing From The Paris Climate Agreement

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Agreement. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement." (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Agreement, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).



Ensuring Clean Air And Water

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon

Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Reducing Burdensome Government Regulations

Promise Made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated."

(President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalized 22

Deregulatory Actions, Which Could Save Americans More Than \$1 Billion

In Regulatory Costs. (EPA Releases Administrator Pruitt's Year One

Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (The Washington Examiner, 9/27/2017)



Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)



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Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama Administration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)



Promoting Energy Dominance

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's

Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth - while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promoting Science Transparency

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (The Washington Post, 5/10/2018)



Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "... Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the

actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

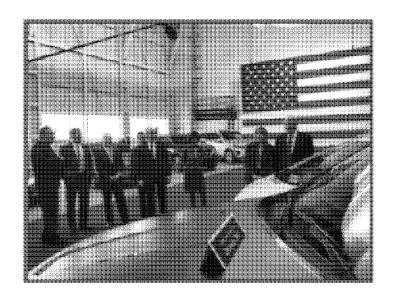
Providing Certainty to the Auto Industry

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)

Promise Kept

In April 2018, Administrator Pruitt Determined That Obama-Era Standards For Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

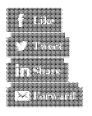








U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]

Sent: 6/7/2018 8:51:05 PM

To: kirk.widlund@salemdenver.com

Subject: helpful materials on EPA

Kirk,

Wanted to make sure you saw this ahead of tomorrow. Administrator Pruitt has been talking extensively about this throughout the week.

Best, James

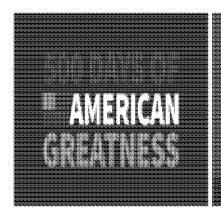
James Hewitt Environmental Protection Agency Press Secretary (202) 578-6141

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] On Behalf Of EPA Press Office

Sent: Monday, June 4, 2018 11:57 AM **To:** Hewitt, James < hewitt.james@epa.gov>

Subject: EPA Celebrates 500 Days of American Greatness - Preview







EPA Celebrates 500 Days of American Greatness

Notable Policy Achievements

- · Withdrawing from the Paris Climate Agreement
- Ensuring Clean Air & Water
- Reducing Burdensome Government Regulations
- Repealing the so-called "Clean Power Plan"
- Repealing the Waters of the United States Rule
- Promoting Energy Dominance
- Promoting Science Transparency
- Ending Sue & Settle
- Promoting Certainty the Auto Industry

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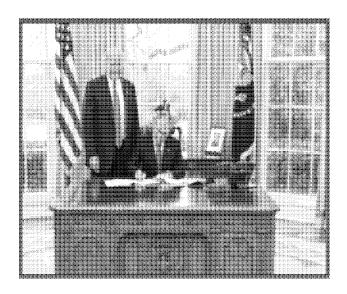
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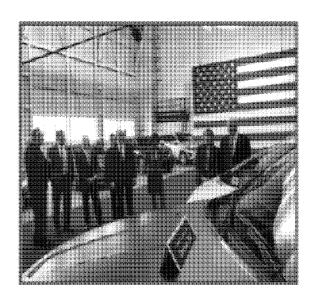
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From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]

Sent: 6/4/2018 3:57:43 PM

To: Konkus, John [konkus.john@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov]

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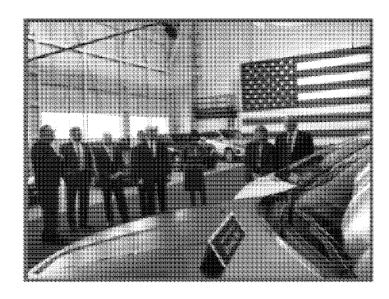
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U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]

Sent: 1/23/2018 7:11:58 PM

To: Konkus, John [konkus.john@epa.gov]

Subject: RE: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Thanks brother. That's why we made them sit-down and do an interview – not a last second telephone interview.

From: Konkus, John

Sent: Tuesday, January 23, 2018 1:57 PM **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: FW: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Wow this is good.

From: Hassell, Emily

Sent: Tuesday, January 23, 2018 11:28 AM

To: AO OPA Individual News Clips < AO OPA Ind News Clips@epa.gov>

Subject: Washington Post: At Superfund sites, Scott Pruitt could flip his industry-friendly script, 1/23/18

Washington Post

https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a story.html?utm term=.673143bd168e

At Superfund sites, Scott Pruitt could flip his industry-friendly script

By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly... The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about \$330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of \$50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his \$125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]

Sent: 1/18/2018 7:25:11 PM

To: Lyons, Troy [lyons.troy@epa.gov]

Subject: FW: Breen testimony before Energy and Commerce

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 1:47 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Kelly, Albert <kelly.albert@epa.gov> **Subject:** RE: Breen testimony before Energy and Commerce

In addition, Breen testified that climate change poses a significant risk to Superfund sites and the "We have to respond to climate change, that's just part of our mission set." Further, Breen said the agency needs to account for the expected impacts of climate change in its planning for Superfund cleanups.

The Superfund Task Force report released last summer makes no mention of climate change or the risks posed by storm-induced flooding or sea level rise. Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites.

Does the agency's top-level administration, including Administrator Pruitt and Superfund Task Force leader Kell Kelly agree with Breen's testimony? If so, what specific actions is EPA taking to help mitigate the risks to Superfund sites posed by the changing climate.

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 12:02 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; 'kelly.albert@epa.gov' <kelly.albert@epa.gov>

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]

Sent: 1/18/2018 7:25:05 PM

To: Lyons, Troy [lyons.troy@epa.gov]

Subject: FW: Breen testimony before Energy and Commerce

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 12:02 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M Ex. 6

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]

Sent: 1/19/2018 6:22:34 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: Government Shutdown procedures for EPA

I don't know what mass email he's talking about.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 1:17 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

Jahan,

Below you say "To take that plan and deduce what is actually going to happen is not accurate reporting." But AP has obtained a copy of a mass email sent to EPA employees this morning that includes a link to the Dec. 2017 contingency plan you are disavowing and instructing them to consult that document for guidance about what to do in the event of a shutdown.

Could you please provide comment?

Thanks,

Michael

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To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

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Subject: RE: Government Shutdown procedures for EPA

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be. To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:46 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Government Shutdown procedures for EPA

We are in touch with OMB, of course, but some other agencies have referred us to their published shutdown plans online.

We see to Dec. 2017 shutdown plan on the EPA website. Is that still the current one for the agency?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 19, 2018 10:44 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Subject: RE: Government Shutdown procedures for EPA

The Associated Press should contact OMB, regarding questions that pertain to a potential government shutdown.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 19, 2018 10:32 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Government Shutdown procedures for EPA

Liz, Jahan,

With a potential government shutdown looming, The Associated Press is contacting federal cabinet agencies for a rundown of which functions will be put on hold and which will continue under the provision for essential operations. Will Superfund cleanups be put on hold, environmental enforcement actions, etc.? What about staff travel?

We're pulling together a roundup for today that will include numerous agencies, so we would like to include EPA.

Thanks,

Michael

ΑP

ASSOCIATED PRESS

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Reporter

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M Ex. 6

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]

Sent: 1/19/2018 6:21:15 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: Government Shutdown procedures for EPA

Our statement hardly disavows the plan, it says it <u>doesn't necessarily</u> equate to the actual plan that <u>MAY</u> be implemented should appropriations lapse. A wait and see and report on what happens approach is the responsible thing for AP to do here.

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М **Ех. 6**

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Ex. 6 From:

12/23/2017 11:32:49 PM Sent: To: Pruitt, Scott [Pruitt.Scott@epa.gov]

Probably didn't think of this - but better Subject:

Wanda S. Ballentine Ex. 6 St. Paul, MN Ex. 6

> https://www.dailykos.com/stories/2017/12/22/1726855/-327-Superfund-sites-at-risk-from-therising-waters-and-driving-floods-of-climate-change?

327 Superfund sites at risk from the rising waters and driving floods of climate change

By Mark Sumner Friday Dec 22, 2017

> A study by the Associated Press finds that over 300 Superfund sites could be subject to flooding as climate change ushers in rising seas and stronger storms.

> The Obama administration assessed some of these at-risk places and planned to gird them from harsher weather and rising seas. EPA's 2014 Climate Adaptation Plan said prolonged flooding at low-lying Superfund sites could cause extensive erosion, carrying away contaminants as waters recede.

> But Trump has gone beyond expressing climate change denial. He's forbidden the military to plan for climate change in assessing national security, removed climate data from the EPA, and intentionally removed both language and planning meant to address the threats of climate change.

> "Site managers had started reviewing climate and environmental trends for each Superfund site, including the potential for flooding," said Phyllis Anderson, who worked for 30 years as an EPA attorney and associate director of the division that manages Superfund cleanups until her retirement in 2013. "The current administration appears to be

trying to erase these efforts in their climate change denials, which is a shame."

With Trump already <u>issuing orders to ignore climate change</u> on infrastructure projects, it shouldn't come as a surprise that he's also willing to allow the nation's worst toxic messes to be inundated and spill poisons into rivers, streams, and the ocean. He loves the idea. Because <u>he thinks you hate it.</u>

And, as with every other subject, Scott Pruitt is determined to make it worse.

Like Trump, Pruitt rejects the consensus of climate scientists that manmade carbon emissions are driving global warming. His task force's 34page report makes no mention of the flood risk to Superfund sites from stronger storms or rising seas, but eight of the 21 sites on EPA's priority list are in areas of flood risk.

That 34-page report was produced by a crooked-banker friend of Pruitt's who had no experience in environmental issues at all. It completely rewrote the rules for dealing with Superfund sites after only two weeks of "research." But how that research was done is a mystery, since a Freedom of Information Act request to Pruitt's Superfund task force <u>produced the response</u>...

... a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials.

No reference materials. They looked at *nothing* when determining how to make these rules. They simply made it up.

Because exposing Americans to the worst toxic waste sites in the nation and irrevocably ruining efforts to remediate these sites is so much better than admitting that climate change is real, climate change is happening now, and climate change represents a massive <u>threat to the nation</u>.

The air around the fenced site hangs heavy with the nose-stinging odor of solvents. Testing found that soil and groundwater under the site contained a witch's brew of highly toxic chemicals, including PCBs and pesticides.

That's a site near New York City.

Testing showed the 130-acre lot's soils were contaminated with radium, the long-banned pesticide DDT, arsenic, lead and other pollutants that over the years have fouled the area's groundwater and the river.

That one's in Florida.

Tests afterward measured the toxins at 2,300 times the level that would normally trigger a new cleanup. Pruitt has since ordered an accelerated cleanup of the site.

And that's a site in Texas that leaked wastes into the San Jacinto River after downpours from Hurricane Harvey. Because this isn't a threat that's coming in some distant future. It's a threat to the nation right now.

Message

Sent: 10/11/2017 4:31:58 PM

To: Sparacino, Jessica [sparacino.jessica@epa.gov]

Subject: RE: FOR REVIEW: Open Inquiries for Review -- 10/10/17 -- AFTERNOON

Good here.

From: Sparacino, Jessica

Sent: Wednesday, October 11, 2017 12:24 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>; Jones, Enesta < Jones. Enesta@epa.gov>; Lynn, Tricia

<lynn.tricia@epa.gov>; Sorokin, Nicholas <sorokin.nicholas@epa.gov>; Sparacino, Jessica

<sparacino.jessica@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia

<Valentine.Julia@epa.gov>

Subject: FOR REVIEW: Open Inquiries for Review -- 10/10/17 -- AFTERNOON

Non-Hurricane Responses for Review:

- Politico, DEADLINE: 10/11 (Derek Robertson), Re: Women in law enforcement. Enesta Jones.
- New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Hurricane Harvey:

- ABC News-Washington (Stephanie Ebbs) Update on Valero benzene leak. (9/14)
- AFP (Delphine Touitou) Confirmation on letter and inquiry into Arkema plant. (9/12)
- AP (Frank Bajak) Environmental testing at Houston spill sites. (9/22)
- Argus Media (Chris Knight) Clarification re: emergency fuel waivers. (9/7)
- Argus (Chris Knight) Waiver data. (9/21) (DDL: 9/21)
- <u>Bloomberg (Meenal Vamburkar)</u> Valero leak. (9/15)
- BNA (Sylvia Carignan) Post-hurricane Superfund site summaries. (9/15)
- BNA (Sam Pearson) Administrator Pruitt's remarks on Arkema. (9/12)
- BNA (Adam Allington) Retail facility cleanup and RCRA guidelines. (9/7)
- <u>CO (Jackie Toth)</u> Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)
- <u>E&E News (Corbin Hiar)</u> Seeking copy of 9/7 letter to Arkema. (9/12)
- <u>E&E News (Corbin Hiar)</u> Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)
- <u>E&E News (Corbin Hiar)</u> Rep. Green letter on exposure risk from Superfund spill. (9/27) (DDL: 9/27)
- Fox News (Maggie Kerkman) Amount of debris.
- Houston Chronicle (Matt Dempsey) Arkema release from Friday. (9/18)
- Houston Public Media (Travis Bubenik) Arkema response to EPA letter. (9/19)
- Moody's Investor Service (Roy Ousley) Seeking names of affected water systems. (9/12)
- San Antonio Express-News (Rye Druzin) Valero plant and RINs. (9/14)
- Univision 45 Houston (Jessica Rivera) Benzene and Valero plant. (9/14)
- <u>Vice (Alex Lubben)</u> U.S. Oil Recovery. (9/19)

Hurricane Irma:

- <u>2U (John Rehm)</u> Access to clean drinking water in Texas and Florida. (9/14)
- Al Jazeera (Elizabeth Gorman Shaw) Interview: Hurricane cleanup and recovery. (9/21)

- Associated Press (Matthew Brown) Non-Superfund chemical/petrochemical storage sites. (9/8)
- Associated Press (Michael Biesecker) Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)
- Associated Press (John Flesher) CWA storm water discharge permits. (9/13)
- CQ (Elvina Nawaguna) Hurricanes and climate change strategy. (9/11)
- <u>E&E News (Niina Heikkinen)</u> Emergency response, Administrator Pruitt, and funding. (9/7)
- <u>E&E News (Niina Heikkinen)</u> Emergency preparedness and climate change. (9/14)
- WIRED (Eric Niller) Hurricane debris disposal. (9/14)

Hurricane Maria:

- AP (Michael Biesecker) Drinking water access. (9/26)
- <u>E&E News (Niina Heikkinen)</u> Interview with emergency response staff. (9/25)
- <u>Inside Climate News (Philip McKenna)</u> Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)
- Inside EPA (Anthony Lacey) Interview with Pete Lopez. (9/28)
- New York Public Radio (Daniel Lewis) Role in recovery and areas of particular concern in Puerto Rico. (10/2) (DDL: 10/2)
- Washington Examiner (John Siciliano) Response in Puerto Rico and Virgin Islands. (9/25)
- Vox (Umair Irfan) Agency role in recovery effort and reconstruction. (9/28) (DDL: 9/28)

Politico, DEADLINE: 10/11 (Derek Robertson), Re: Women in law enforcement. Enesta Jones

Background:

POLITICO reporter is asking for the number of senior level women in law enforcement at the agency. OARM did a data pull. Derek Robertson, drobertson@politico.com

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Hi, my name is Derek Robertson and I'm a reporter with POLITICO – we're working on a story about women in law enforcement and I was hoping to learn what percentage of full-time sworn officers in the EPA's employ are women. My deadline for this is mid-October. You can reach me at any time here at this e-mail address or at 810-444-6131 with any questions, thanks so much, and have a great day.

Hi, thanks so much. If it's at all possible, it would also be immensely helpful to know what percentage of women in EPA's law enforcement are GS-15 or Senior Executive Service level – we're trying to include a component in the story about women in leadership roles. Thanks again, and have a great afternoon.

New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.

Background:

The reporter would like to visit the Ann Arbor emissions lab during the week of October 9 as part of a larger piece on rulemaking, reconsiderations and repeals at the agency – OAR is usually open to such visits. Margaret Talbot – the New Yorker – (b) (6) / Personal Privacy

Response:

Deliberative Process / Ex. 5

Inquiry:

Dear Mr. Daguillard,

I do mean the NVFEL in Ann Arbor--sorry for the dropped F!

The piece is a larger piece on some of the proposed rules reconsiderations at EPA under the new administrator, and one of the areas I'm likely focusing on is the re-opening of the mid-term evaluation on clean car standards. I'm interested in the lab's role in research and testing on emissions in cases like the VW cover-up, and frankly--I'm sure you will understand this from a journalistic point of view--looking to get out of Washington and see some of the

P.S. If it works out, I was hoping to be able to go there the week of October 9th.

important work done at the EPA's labs that readers can more easily visualize.

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

The response consists of: (b) (5) / Deliberative Process (b) (5) / Deliberative Process

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

| Thanks for y | our time | and | attention |
|--------------|----------|-----|-----------|
|--------------|----------|-----|-----------|

HURRICANE REQUESTS

HURRICANE HARVEY

ABC News-Washington (Stephanie Ebbs) - Update on Valero benzene leak. (9/14)

Was there any new information about the Valero benzene leak out today? I'm seeing references to new information from EPA but I didn't see a release or anything

AFP (Delphine Touitou) – Confirmation on letter and inquiry into Arkema plant. (9/12)

My collegue Douglas Gillison contacted you a couple of hours ago to try to confirm the information published in some US media saying the Environmental Protection Agency has opened an inquiry into whether the Arkema chemical plant in Crosby, Texas followed federal safety rules to protect against hazards, following explosions at the facility that resulted from Hurricane Harvey flooding.

Could you confirm this information please?

The medias also mentionned a letter sent to Arkema on September 7th urging Arkema to reply in 10 days. Could you also confirm this point please? It is very urgent.

AP (Frank Bajak) – Environmental testing at Houston spill sites. (9/22)

I'm interested in getting a rundown on where EPA is collecting air, water and soil samples related to actual or suspected Harvey-related petrochemical spills and releases in 1) the Houston metropolitan area 2) other parts of Texas.

I'd appreciate if someone could talk me through this. I know there is Arkema, the Valero refinery and Superfund sites and would like to know the nature and extent of sampling. I'm curious also about various spills reported to the Coast Guard's NRC.

Argus Media (Chris Knight) - Clarification re: emergency fuel waivers. (9/7)

I'm just trying to understand the difference here. Is the main thing that EPA extended the deadlines of the RFG through September 26?

Argus (Chris Knight) - Waiver data. (9/21) (DDL: 9/21)

EPA press, I'm doing a story about the expiration in the coming week or so of fuel waivers and other waivers from EPA, Homeland Security, highway operating hours, etc., along with the benefits the waivers provided to areas hit by Irma/Harvey/Maria.

Questions:

- Does EPA plan to extend further any of its fuel waivers or enforcement discretion notices?
- Has EPA collected data/information it can share on use of its waivers? I'm trying to sum up what benefits the waivers have provided to those hit by the storms but haven't seen any type of government data on this (E.g., retailers were able to sell XX million barrels that were otherwise unavailable)

Deadline is 3:30 p.m. today.

Bloomberg (Meenal Vamburkar) - Valero leak. (9/15)

I'm following up on the Valero benzene/chemical leak after the hurricane. It's been reported that the leak was bigger than originally estimated and that Valero will be putting out a revised report. Is there a time-frame in which we can expect the revised numbers from the company -- or any other EPA update on the investigation?

BNA (Sylvia Carignan) – Post-hurricane Superfund site summaries. (9/15)

A question about this line from the press release:

"Post-hurricane Superfund site summaries based on preliminary data results are being released."

Where are these summaries available?

BNA (Sam Pearson) - Administrator Pruitt's remarks on Arkema. (9/12)

Do you have a copy of the Section 114 letter sent to Arkema?

If the letter is being shared with the Washington Examiner, does that mean that EPA will release the letter? Not understanding the rationale for only releasing it selectively.

Also, can anyone explain Administrator Pruitt's comment that " "The concern about some of those risk management plans is the data in those RMPs are actually intelligence or information our adversaries — terrorists — can use to attack soft targets across this country. So we [have to] make sure those RMPs are done the right way to assure we are not equipping our adversaries."

Under existing RMP regulations, Arkema already disclosed it kept as much as 66,260 pounds of sulfur dioxide and 86,000 pounds of 2-Methylpropene on site.

From my reading of the final rule that Administrator Pruitt delayed, the main additional requirements would have been:

- required companies to tell the public, if asked, that the information is available, and the companies would track who requested the information.
- Companies would be required to share the names of regulated substances used in a process at the plant
- The substances' safety data sheets
- the plant's five-year accident history (this is already listed on existing RMPs, they just have to be obtained from EPA rather than the plant)
- a list of scheduled emergency response exercises the plant has conducted (not the content of the exercises or what vulnerabilities they were concerned about or specific things of that nature)
- contact information for the Local Emergency Planning Committee responsible for the plant (again this information could already be obtained through basic research but in theory would be faster this way)

How does any of this = detailed information about all chemicals that are there? How specifically would a terrorist exploit this process to obtain "intelligence" to "attack soft targets across this country"?

BNA (Adam Allington) - Retail facility cleanup and RCRA guidelines. (9/7)

Adam Allington from Bloomberg BNA here.

I'm working on a story about cleanup of retail facilities after Hurricane Harvey. Places that sell products which fall under the guidance of hazardous waste, when thrown away...paints, aerosol cans, perfumes, medicine, etc.

I was wondering if EPA has issued any for temporary relaxation of RCRA guidelines as a response to disaster declarations? If you could let me know on this one particular point I would be very grateful

CQ (Jackie Toth) – Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)

Can I get a copy of the letter Admin. Pruitt sent to Arkema with concerns over whether it had followed its Risk Management Plan and the Sept. 7 request for information to the company?

E&E News (Corbin Hiar) - Seeking copy of 9/7 letter to Arkema. (9/12)

Can EPA please provide a copy of the Sept. 7 letter to Arkema asking for information related to its Crosby, Texas, plant explosion? I plan to file a story about this by 11 a.m. this morning.

E&E News (Corbin Hiar) - Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)

I'm planning to file a story on Friday about Superfund sites and climate change, so I want to give EPA the opportunity to weigh in on it.

The story notes that the flooding and potential contaminant leaks at the San Jacinto Waste Pits site closely to matches a scenario described in the Office of Solid Waste and Emergency Response's Climate Change Adaptation Implementation Plan. While that report is still listed on EPA's Superfund Climate Change Adaptation page, the link to it leads to a page that is being updated to reflect EPA's new priorities.

To what extent, if at all, does EPA think the flooding that occurred at Superfund sites in the wake of Hurricane Harvey is related to climate change? How much, if at all, would the OSWER climate adaptation plan have helped the agency better prepare for Harvey's impacts? How much, if at all, would regulators, responsible parties and affected communities benefit from having access to the OSWER climate plan?

Also, were any Superfund sites in Florida damaged by Hurricane Irma? If so, which ones and to what extent were they damaged?

Please let me know if you have any questions about the story. And thanks for any feedback you can provide by EOD tomorrow.

E&E News (Corbin Hiar) - Rep. Green letter on exposure risk from Superfund spill. (9/27) (DDL: 9/27)

I plan to write about this for tomorrow morning's Daily. Please let me know by EOD if EPA wants to weigh in. [Attached: Rep Green Letter Requests for Answers from EPA Secretary Pruitt on Exposure Risk from Harvey Superfund Spill.]

Fox News (Maggie Kerkman) - Amount of debris. (9/26)

Would you happen to have anyone in the Dallas area who could talk about just the enormous amount of debris that needs to be removed in the wake of Harvey? We're trying to do a follow up story on the storm and looking for an expert who could give us a sense of how vast this job is.

Houston Chronicle (Matt Dempsey) - Arkema release from Friday. (9/18)

I still have a number of questions. Would prefer an interview but if that's not possible... here's the questions:

Why only one day of water samples?

Was any soil testing done?

Was any air testing done for phenol?

Did the EPA do air modeling and if so for what chemicals and what were the results?

When ASPECT was used, what time of day was the craft run? Why test for only the half mile around the plant?

Was any air monitoring done outside of the half mile around the plant? What about outside the evacuation zone?

Can I get any email communications between the EPA and Arkema from Aug. 25 through Sept. 5?

Houston Public Media (Travis Bubenik) – Arkema response to EPA letter. (9/19)

Morning, has Arkema responded to <u>this information request</u> yet? (Not sure if the 10 days requirement counts weekends or just business days...)

Moody's Investor Service (Roy Ousley) – Seeking names of affected water systems. (9/12)

I read the statement regarding status of water systems in the area affected by Harvey, and wanted to know if it was possible for you to provide me with the names of the water systems that have been affected. Particularly the 50 drinking systems that are shut down.

San Antonio Express-News (Rye Druzin) – Valero plant and RINs. (9/14)

Joe Gorder, the CEO of Valero Energy Corp., the largest U.S. refiner, said that the \$800 million to \$1 billion that Valero is paying for RINs costs do not go to the government, but rather brokers (the people who buy fuel from Valero, blend it and get the RINs credit) who resell the RINs to Valero.

This is a direct quote from Mr. Gorder, from a talk today:

"We sell it at the refinery, it goes through a pipe, it gets out here. Ethanol gets blended into it. That person that blends it captures the credit, which identifies that the ethanol has been blended. He doesn't need it, he doesn't have an obligation. I'm back here, I've produced the fuel, I do need the credit, he hangs onto them until I cry uncle and then he sells them to me at an inflated price and I get them to the government to show compliance. That is \$800 million to \$1 billion that's not being paid to the government; it's being paid to individual companies out there that are capturing these credits, brokers who are between us and you. What this means is you're paying 8 to 10 cents a gallon more than you need to for your fuel because of this policy."

I would like to know if Mr. Gorder's characterizations are correct, and I need a response ASAP, no later than 6 p.m. Central Time (7 p.m. ET).

I would prefer an emailed response because it will be easier to put into the story. Thank you.

Univision 45 Houston (Jessica Rivera) – Benzene and Valero plant. (9/14)

Univision 45 in Houston, Texas is requesting information on a Houston Chronicle report that Valero Energy "significantly underestimated" the amount of cancer-causing benzene and other volatile compounds leaked from its Houston refinery during Hurricane Harvey's torrential rains, the U.S. Environmental Protection Agency said Thursday. Do you have any information?

Or, could you provide us with the EPA media contact for Texas?

I searched on the website for the Texas contact and the information would not pop up when I scrolled over the media map.

Vice (Alex Lubben) - U.S. Oil Recovery. (9/19)

Hi Jahan,

Has the EPA conducted any sort of clean up operation post-Harvey at the U.S. Oil Recovery Superfund site since the Harvey floodwaters receded?

HURRICANE IRMA

Al Jazeera (Elizabeth Gorman Shaw) - Hurricane cleanup and recovery.

I'm a journalist for "Fault Lines" at Al Jazeera English. I'm interested in making an interview request for a story I'm working on about Hurricane cleanup and recovery.

Associated Press (Matthew Brown) – Non-Superfund chemical/petrochemical storage sites. (9/8)

Greetings-

As part of the EPA's preparations for Irma, can you please tell me if the agency is also trying to assess safety of chemical/petrochemical storage sites that are NOT on the Superfund list?

I'm also following up on earlier questions (repeated below) regarding Harvey-related spills from petrochemical storage tanks.

HARVEY QUESTIONS:

- -has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?
- -has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?
- -are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?

- -Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?
- -can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)
- -broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Associated Press (Michael Biesecker) - Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)

My understanding is that EPA Region 4 has prepared a vulnerability assessment of Florida Superfund sites potentially at risk from Irma that lists Homestead Air Force base, Airco Plating and Cabot Copper as being potentially vulnerable to flooding.

Could you please provide a copy of the assessment? Also, we would be interesting in reporting details of what preparations and monitoring is taking place at those sites as storm progresses.

Would you have time to talk to me or my colleague Jason, copied on this email, later today?

Associated Press (John Flesher) – CWA stormwater discharge permits. (9/13)

I'm putting together a story for AP today on sewage overflows in Florida resulting from Hurricane Irma and have a few questions about EPA's announcement regarding Clean Water Act stormwater discharge permits:

- -Does this mean that permit holders will be allowed to discharge untreated or partially treated sewage into waters in ways that ordinarily are impermissible under the Clean Water Act?
- -If so, for how long will this waiver be in place?
- -What other kinds of exceptions to normal permit requirements would these "upset" or "bypass provisions allow?
- -How often are such waivers granted? Is it done routinely during hurricanes, or is does this represent a new policy for EPA? Aside from hurricanes, under what other circumstances would justify such waivers?

CQ (Elvina Nawaguna) – Hurricanes and climate change strategy. (9/11)

I'm working on a story about whether Hurricanes Harvey, Irma, Jose can change the conversation about climate change especially among GOP lawmakers who have rejected climate science. Would like to talk with/ get a response from Administrator Pruitt's office on what role climate change may have played in the unusually huge storms and whether the EPA is considering taking stronger action to mitigate climate change. Scientists have said while climate change did not directly cause the storms, it certainly made the flooding worse and project more extreme weather events What strategy does the EPA have going forward?

E&E News (Niina Heikkinen) - Emergency response, Administrator Pruitt, and funding. (9/7)

I'm writing something for tomorrow about what Administrator Pruitt and the agency is doing ahead of Irma. Does EPA have the funding it needs to do two (and potentially three) back to back emergency responses? Will Pruitt be making any TV appearances in the coming days to talk about the storm response?

I'm also interested in what sort of work is happening in Puerto Rico and the Virgin Islands, which haven't gotten as much media attention. Does Administrator Pruitt plan to visit Florida?

E&E News (Niina Heikkinen) – Emergency preparedness and climate change. (9/14)

I'm working on an article for tomorrow about how climate change is being incorporated in emergency response and preparedness efforts.

First, are your staff still using resources such as the National Climate Assessment in planning for future storms like Harvey and Irma?

Are emergency management staff examining different scenarios including sea level rise, precipitation rates, or wildfire frequency that could impact facilities under EPA's jurisdiction?

If you are able to connect me with anyone working in emergency management this afternoon, I'd very much appreciate it.

WIRED (Eric Niiler) – Hurricane debris disposal. (9/14)

I'm a Washington-based contributing writer for WIRED and am putting together a story for Friday (tomorrow) on debris removal after Hurricanes Harvey and Irma. I'd like to either connect with someone by phone, or have a few questions answered in writing:

- -Have state environmental officials in Texas or Florida asked for waivers for EPA disposal rules that would allow mixed solid/hazardous waste into construction and demolition landfills? -If so, has the EPA granted any waivers yet?
- -Has the Office of Land and Emergency Management (OLEM) addressed concerns raised by a 2016 Office of Inspector General's report on disaster debris:

https://www.epa.gov/sites/production/files/2016-06/documents/20160629-16-p-0219.pdf

- , specifically have they collected information from state agencies about planning for disposal after storms?
- -Does OLEM have post-disaster debris disposal plans from state officials for the relevant regions of Texas and Florida?
- -Has EPA and OLEM incorporated the effects of climate change into post-disaster debris planning as noted by the OIG report (pp. 3-4) and the 2014 EPA Climate Change Adaptation Plan?
- -Anything else that EPA would like to add about its role in debris disposal in Texas and Florida?

2U (John Rehm) - Access to clean drinking water in Texas and Florida. (9/14)

I was wondering if you had any data or information on how many people are without access to clean drinking water in both Texas and Florida.

HURRICANE MARIA

AP (Michael Biesecker) - Drinking water access. (9/26)

AP is reporting on the ground in PR about the crisis with access to drinking water. Are there any EPA folks on the ground there yet they could talk to? If not, is there an ETA for when they will arrive?

E&E News (Niina Heikkinen) - Interview with emergency response staff. (9/25)

Is there any chance I'd be able to talk to some emergency response staff on the ground in Puerto Rico (or any who have recently returned)? I'm working on writing something about EPA's response to Hurricane Maria and would very much like a more personal perspective of what's going on there. If possible, I'd like to speak with someone today.

Inside Climate News (Philip McKenna) – Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)

Dear EPA press office,

I just wanted to follow up with you to see if there is an update on EPA assessments of Superfund sites and oil sites in Puerto Rico and US Virgin Islands following hurricane Maria.

Last I spoke with you Elias Rodriguez on Thursday he told me 3 sites in Puerto Rico had been assessed and found to be OK and he said he thought there would be a new update this past Saturday.

Could you please let me know what the latest update is on EPA assessments of Superfund sites and oil sites on Puerto Rico and the US Virgin Islands as soon as possible?

Inside EPA (Anthony Lacey) - Interview with Pete Lopez. (9/28)

Hello -- would it be possible to organize a quick telephone interview with Region 2 Administrator Pete Lopez to talk about his priorities for the agency? Happy to figure out a pre-approved question list beforehand and stick to that.

New York Public Radio (Daniel Lewis) – Role in recovery and areas of particular concern in Puerto Rico. (10/2) (DDL: 10/2)

I spoke with the incoming Region 2 Administrator earlier and have some follow-up questions regarding the EPA's response in Puerto Rico right now:

Does the agency have anyone currently on the ground, and if so, how many? What role is the agency currently playing in Puerto Rico's recovery right now? Are there any specific areas of the island that are of particular concern regarding issues from sewage, chemical plants, etc., and is there anything that the agency is currently doing to try and tackle that? Thanks for the help. My deadline is 4pm today, and I look forward to hearing from you.

Washington Examiner (John Siciliano) – Response in Puerto Rico and Virgin Islands. (9/25)

Can you explain the pause in Puerto Rico and V. Islands? Is it because its too hazardous?

Vox (Umair Irfan) – Agency role in recovery effort and reconstruction. (9/28) (DDL: 9/28) Hi,

I am a reporter at Vox and I am looking into relief efforts in Puerto Rico. I wanted to see if someone at EPA could comment on the environmental concerns in Puerto Rico after the hurricane, particularly with respect to energy infrastructure.

I wanted to see if someone at EPA could comment on the agency's role in the recovery effort, some of the environmental concerns in the reconstruction and what EPA can do to help Puerto Rico prepare for the next disaster.

Also, I saw that Pete Lopez was appointed to lead Region 2, so I was hoping I could speak with him about his take on the role and his strategy for Puerto Rico's recovery.

I anticipate filing by 5 p.m. EST today.

Message

Sent: 9/12/2017 7:32:22 PM

To: Jones, Enesta [Jones.Enesta@epa.gov]

CC: Sparacino, Jessica [sparacino.jessica@epa.gov]; AO OPA Media Relations [AO OPA Media Relations@epa.gov]

Subject: RE: FOR REVIEW: Open Inquiries for Review -- 9/12/17 -- AFTERNOON

From: Jones, Enesta

Sent: Tuesday, September 12, 2017 3:28 PM **To:** StClair, Christie < StClair. Christie@epa.gov>

Cc: Sparacino, Jessica <sparacino.jessica@epa.gov>; AO OPA Media Relations

<AO OPA Media Relations@epa.gov>

Subject: Re: FOR REVIEW: Open Inquiries for Review -- 9/12/17 -- AFTERNOON

Michael approved that for you at 1:18 pm today.

On Sep 12, 2017, at 3:26 PM, StClair, Christie < StClair. Christie@epa.gov> wrote:

Please add:

Inside EPA, DEADLINE: 9/5 (Dawn Reeves), Re: HD NOx petition. Christie St. Clair

From: Sparacino, Jessica

Sent: Tuesday, September 12, 2017 3:20 PM

To: AO OPA Media Relations <AO OPA Media Relations@epa.gov>

Subject: FOR REVIEW: Open Inquiries for Review -- 9/12/17 -- AFTERNOON

Non-Hurricane:

- Pittsburgh Tribune-Review, DEADLINE: 9/12 (Theresa Clift), Re: Lead sampling. Tricia Lynn.
- TMJ4 Milwaukee, DEADLINE: 9/12 (Casey Geraldo), Re: Follow-up threshold for water contaminant. Enesta Jones.
- Water Online, DEADLINE: 9/12 (Peter Chawaga), Re: Cyanobacterial bloom management. Enesta Jones.
- Reveal News, DEADLINE: 9/11 (Randy Loftis), Re: Proposed Budget and Small City Water Projects. Tricia Lynn.
- National Onsite Wastewater Recycling Association Magazine, DEADLINE: 9/11 (Steve Bernhut), Re: Census question reinstatement. Tricia Lynn.
- Federal Computer Week, DEADLINE: 9/11 (Ben Berliner), Re: Reporting systems for grants. Enesta Jones.
- CBS 11 News Dallas, DEADLINE: 9/11 (Brian New), Re: Glyphosate. Robert Daguillard.
- Argus, DEADLINE: 9/11 (Sam Brock), Re: Seasonal NOx compliance extension. Enesta Jones.
- CQ Roll Call, DEADLINE: 9/8 (Jackie Toth), Re: methane letter and compliance. Enesta Jones.
- Newark Star Ledger, DEADLINE: 9/7 (Dave D'Alessandro), Re: Frontier/environment America Research and Policy Center. Tricia Lynn.
- Chemical Watch, DEADLINE: 9/4 (Julie Miller), Re: Pending section 6 rules. Robert Daguillard.
- Fruit Grower News, DEADLINE: 9/1 (Dave Weinstock), Re: Pesticide impact on bees. Robert Daquillard.
- World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. Christie StClair.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Hurricane Harvey:

• AFP (Delphine Touitou) – Confirmation on letter and inquiry into Arkema plant.

- Argus Media (Chris Knight) Clarification re: emergency fuel waivers.
- Associated Press (Matthew Brown) Water sampling and public health risks.
- Associated Press (Michael Biesecker) Superfund inspections and Arkema plant air quality testing.
- Associated Press (Michael Biesecker) Follow-up on San Jacinto Waste Pits and U.S. Oil Recovery.
- BNA (Sam Pearson) Administrator Pruitt's remarks on Arkema.
- BNA (Adam Allington) Retail facility cleanup and RCRA guidelines.
- CQ (Jackie Toth) Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information.
- E&E News (Corbin Hiar) Seeking copy of 9/7 letter to Arkema.
- Moody's Investor Service (Roy Ousley) Seeking names of affected water systems.
- NPR (Rebecca Hersher) Follow-up re: air testing.

Hurricane Irma:

- Associated Press (Matthew Brown) Non-Superfund chemical/petrochemical storage sites.
- Associated Press (Michael Biesecker) Vulnerability of Florida Superfund sites. Seeking copy of assessment.
- Associated Press (Angeliki Kastanis) Superfund site map data.
- Buzzfeed (Zahra Hirji) Florida Utility Waiver.
- CQ (Elvina Nawaguna) Hurricanes and climate change strategy.
- E&E News (Niina Heikkinen) Emergency response, Administrator Pruitt, and funding.

Pittsburgh Tribune-Review, DEADLINE: 9/12 (Theresa Clift), Re: Lead sampling. Tricia Lynn.

Background:

Reporter has follow-up to a previous response we sent her. Reporter is Theresa Clift (tclift@tribweb.com) of Pittsburgh Tribune-Review.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

hi again Tricia,

regarding this section of your response below:

When reporting the results to the State, the water system is required, as per 141.90(a)(v), to designate which sites were not sampled during previous monitoring periods and include an explanation of why sampling sites have changed.

I reached out to the state and to the county health dept and neither receives this info from PWSA. PWSA says they do not report the info because their "sampling plan has not changed" can someone from EPA call me next week so I can explain the situation and see if PWSA is following the regulations?

TMJ4 Milwaukee, DEADLINE: 9/12 (Casey Geraldo), Re: Follow-up threshold for water contaminant. Enesta Jones.

Background:

TMJ4 reporter has returned, asking if there is a numerical threshold for a contaminant deemed a public health concern and is there a national average for 1,4-dioxane. Publicly available information. Response input from OW. Casey Geraldo, casey.geraldo@tmi4.com

Suggested Response:

What constitutes "a high chance that the contaminant will occur in public water systems often enough and at levels of public health concern." Is there a numerical threshold?

Deliberative Process / Ex. 5

What is the national average concentration for 1,4 dioxane?

Deliberative Process / Ex. 5

Inquiry:

What constitutes "a high chance that the contaminant will occur in public water systems often enough and at levels of public health concern." Is there a numerical threshold?

What is the national average concentration for 1,4 dioxane?

Water Online, DEADLINE: 9/12 (Peter Chawaga), Re: Cyanobacterial bloom management. Enesta Jones.

Background: Water Online reporter is asking about the risks, recommendations and management of cyanobacterial blooms. Response input from OW. Publicly available information. Peter Chawaga, <u>pchawaga@vertmarkets.com</u>

Suggested Response:

What statistics or anecdotes can you share that demonstrate the dangers that cyanobacterial bloom presents in recreational waters?

Why did the EPA think this was an important time to compile these materials to help with bloom management?

Deliberative Process / Ex. 5

How can proper management of cyanobacterial bloom in waterbodies be critical for drinking water and/or wastewater treatment operations?

Deliberative Process / Ex. 5

How did the EPA compile recommendations on what waterbody managers can do to prepare for cyanobacterial bloom in the future?

Deliberative Process / Ex. 5

How did the EPA compile its recommendations on what waterbody managers should do once bloom is identified or suspected?

Deliberative Process / Ex. 5

Of all the PDFs included in this list, which one or two do you highlight as being the most critical for protecting waterbodies from bloom? For dealing with bloom once it is detected?

Deliberative Process / Ex. 5

Although they are intended for waterbody managers, are any of these tools useful for drinking and/or wastewater utilities as well?

Deliberative Process / Ex. 5

Inquiry:

I am hoping you can help me get written answers to the below or point me in the right direction for a story I'm working on about the EPA's release of <u>materials for cyanobacterial bloom management in recreational waters</u>.

- 1. What statistics or anecdotes can you share that demonstrate the dangers that cyanobacterial bloom presents in recreational waters?
- 2. Why did the EPA think this was an important time to compile these materials to help with bloom management?
- 3. How can proper management of cyanobacterial bloom in waterbodies be critical fro drinking water and/or wastewater treatment operations?
- 4. How did the EPA compile recommendations on what waterbody managers can do to prepare for cyanobacterial bloom in the future?
- 5. How did the EPA compile its recommendations on what waterbody managers should do once bloom is identified or suspected?
- 6. Of all the PDFs included in this list, which one or two do you highlight as being the most critical for protecting waterbodies from bloom? For dealing with bloom once it is detected?
- 7. Although they are intended for waterbody managers, are any of these tools useful for drinking and/or wastewater utilities as well?

Reveal News, DEADLINE: 9/11 (Randy Loftis), Re: Proposed Budget and Small City Water Projects. Tricia Lynn.

Background:

Reporter is wondering about EPA funding sources for water/wastewater projects in small cities. Additionally, he wants to know if Administrator Pruitt supports the President's budget proposal to cut categorical grants to the states by 44.7 percent in FY 2018. OCFO and OW contributed to the response below. OCFO provided a general statement (1st paragraph below) about the budget, though you may want something more specific to attribute to the Administrator. Reporter is Randy Loftis of Reveal News (from the Center for Investigative Reporting).

Suggested Response:

Inquiry:

Hello. I'm working on a story about rural water and wastewater funding for Reveal News from the Center for Investigative Reporting. I have a couple of questions.

First, does the EPA have its own capital funding source for water and wastewater projects in small cities of 10,000 or less population? (10,000 is the small system defintion used by the USDA's Rural Utilities Service.)

Second, does Administrator Pruitt support the President's budget proposal to cut categorical grants to the states by 44.7 percent in FY 2018?

My deadline is early next week. Any comment would be appreciated.

National Onsite Wastewater Recycling Association Magazine, DEADLINE: 9/11 (Steve Bernhut), Re: Census question reinstatement. *Tricia Lynn*.

Background:

Reporter is writing for a magazine whose related association (National Onsite Wastewater Recycling Association – NOWRA) is asking EPA to petition the Census Bureau to reinstate a question that used to appear on the annual American Community Survey of Unit Characteristics. The reporter wants to know what EPA's position is on reinstating the question and why. (We don't have a position yet.) Reporter is Steve Bernhut (sbernhut@rogers.com) of NOWRA Magazine.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

I am the editor of NOWRA's magazine, the National Onsite Wastewater Recycling Association. NOWRA is asking the Office of Wastewater Management, Office of Water, EPA, to petition the Census Bureau to reinstate the following question to the annual American Community Survey of Unit Characteristics. The question was on the survey until 1990, when it was deleted. Hence, "reinstate." I believe that Ms. Mahgoub is familiar with the issue. NOWRA's executive has already done lot of work on the issue, and the article will essentially communicate that work to individual members. The question is as follows:

Is the building connected to a public sewer? (Check one).

- Yes, connected to as public sewer.
- No, connected to a septic tank or cesspool
- No, other means

My questions are:

- 1. What is the agency's position on reinstating the question?
- 2. Why?

I am comfortable with email responses, though I'd ask that they be expansive rather than brief. QA short phone call will also be fine.

My hard deadline is Monday, September 11.

Federal Computer Week, DEADLINE: 9/11 (Ben Berliner), Re: Reporting systems for grants. Enesta Jones.

Background:

Federal Computer Week reporter is asking about the development and use of a new reporting system for grants. Response input from OARM/Kerry Neal. She said that we will make a decision about new technology in the coming months pending EPA leadership approval. Ben Berliner, bberliner@1105media.com

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

This is Ben Berliner with Federal Computer Week. I am writing to ask if it's possible to connect with someone in your office today or early tomorrow about EPA's new computer-reporting systems for grants, specifically about its development, and how its currently being used. Thank you, and I look forward to touching base soon.

CBS 11 News Dallas, DEADLINE: 9/11 (Brian New), Re: Glyphosate. Robert Daguillard.

Background:

The agency and program have used the first, third and fourth paragraphs in previous glyphosate-related responses. Paragraph 3 and 4 constitute our current desk statement. #2 is a first-time response, reviewed and approved by Nancy Beck and the Office of General Counsel. Brian New – CBS 11 KPIX (DFW) – banew@cbs.com

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

Robert,

Thanks for your help with answering these questions about glyphosate. My deadline is by the end of business tomorrow – Thursday.

- What is the current classification of glyphosate in terms of it being a carcinogen?
- When will the current reviewing process for glyphosate be completed?
- There have been accusation in lawsuits stating Monsanto has "friends" with the EPA. One of the accusations references the EPA ignoring the concerns about the safety of glyphosate raised by former EPA scientist Marion Copley. Is this true? How were Ms. Copley's concerns handled by the EPA?

Argus, DEADLINE: 9/11 (Sam Brock), Re: Seasonal NOx compliance extension. Enesta Jones.

Background:

Argus reporter is status checking whether we have extended the compliance for the seasonal NOx program until next year. We have not granted an extension; in fact, the timeline is pretty common in cap and trade programs. Response input from OAR. Sam Brock, sam.brock@argusmedia.com

Suggested Response:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Inquiry:

Happy Friday! Sam Brock from Argus Media here. Could you let me know if EPA has extended the deadline for compliance with this year's seasonal NOx program until next year? There is a rumor going around that that is the case, but I haven't seen anything formal. I'm not looking for a comment, just trying to clarify.

Thank you for your time and help.

CQ Roll Call, DEADLINE: 9/8 (Jackie Toth), Re: methane letter and compliance. Enesta Jones.

Background: CQ Roll Call reporter is asking if we have received a methane letter from Senate Democrats and about the compliance requirements for the rule. Response input from OCIR and OECA. Previously shared response with media on compliance. Jackie Toth, <u>JackieToth@cgrollcall.com</u>

Suggested Response:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Inquiry:

Has the EPA received Senate Democrats' letter from yesterday asking it to enforce its NSPS methane rule in full?

What are the compliance requirements the EPA is enforcing for the rule now?

Is the EPA determining methane rule enforcement on a case by case basis? If so, does 'case by case' mean by industry? by company?

Newark Star Ledger, DEADLINE: 9/7 (Dave D'Alessandro), Re: Frontier/environment America Research and Policy Center. *Tricia Lynn*.

Background:

Reporter is asking if EPA will issue any reaction to the recent <u>Frontier/Environment America Research & Policy Center</u> (<u>EARPC</u>) report, "Rough Waters Ahead: The Impact of the Trump Administration's EPA Budget Cuts on the Delaware River Basin." OCFO has suggested a response, though perhaps the third floor has something different in mind. Reporter is Dave D'Alessandro (<u>DDALESSANDRO@STARLEDGER.COM</u>) of Newark Star-Ledger.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Are there any plans to issue an EPA reaction to the recent Frontier/EARPC report?

Chemical Watch, DEADLINE: 9/4 (Julie Miller), Re: Pending section 6 rules. Robert Daguillard.

Background:

Section 6 of TSCA, as amended the Lautenberg Act, provides EPA with the authority to prohibit or limit the manufacture, processing, distribution in commerce, use, or disposal of a chemical if EPA evaluates the risk and concludes that the chemical presents an unreasonable risk to human health or the environment. Trichloroethylene (TCE) is a volatile organic compound (VOC) that is produced or imported into the United States, with use estimated to be around 250 million pounds per year. It is a clear, colorless liquid that has a sweet odor and evaporates quickly. TCE is a toxic chemical with human health concerns. Julie Miller – Chemical Watch – julie miller@chemicalwatch.com

Response:

Deliberative Process / Ex. 5

Inquiry:

I am a relatively new reporter at Chemical Watch and I'm hoping you can shed some light on something for me.

In looking over the EPA's spring regulatory agenda, we noticed that the Section 6 rule on N-Methylpyrrolidone (NMP) and Methylene Chloride is now listed as awaiting publication of a supplemental NPRM. One of the TCE proposals was moved onto "long term action" list while the other is listed as "final rule TBD."

Is this tacit confirmation that the TCE rules are being dropped, which most people expected? Why are the two TCE rules are listed differently? Why is the EPA planning to publish a supplemental NPRM for methylene chloride and NMP?

I appreciate whatever level of response you can give me.

If you would like to answer in email, that is fine, but I would love to have a brief conversation if you have the time this afternoon or tomorrow. My number is 202-803-5909. I work in a home office and there's no such thing as a time that's either too early or too late.

Fruit Grower News, DEADLINE: 9/1 (Dave Weinstock), Re: Pesticide impact on bees. Robert Daguillard.

Background:

EPA's response to the GAO report outlines agency action taken since the report's publication and expresses general agreement with the report's findings. Dave Weinstock – Fruit Grower News – dweinwriter@gmail.com

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

As I mentioned to you on the phone, I'm working on a story on fungicides and bee mortality for Fruit Growers News.

In the course of my interviews, I found a GAO report released in February 2016 that suggested EPA could do more toward "reducing the risk of unreasonable harm to [bees]" by pesticides and other crop protection chemicals.

Here's a link to the report:

https://www.gao.gov/products/GAO-16-220

My questions relate specifically to a recommendation on page 45-46 in which GAO notes EPA could be doing a lot more to assure pollinator survival.

My questions here are:

- (1) Have ring tests (to assess the acute contact and oral toxicity of pesticides to bumble bees) been incorporated into EPA's risk assessment process?
- (2) Has EPA developed (and implemented) a plan for obtaining data from pesticide registrants on the effects of pesticides on non-honey bee species, including other managed or wild, native bees, into its risk assessment process?
- (3) When will/does EPA require pesticide/fungicide manufacturers to address risks of tank mixtures (on their labels).
- (4) Has it begin to obtain data on synergistic toxicity increases when fungicides are mixed with pesticides? Are there plans to require labeling referring to that problem? What is the timeline on that?

(5) What is EPA's thinking on recent research pointing to sub-lethal effects on bees by adjuvants, surfactants and inerts in pesticides?

I'll be wrapping this story up tomorrow around 3 p.m. Thanks, in advance, for whatever information you can dig up for me.

World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. Christie StClair.

Background:

We're handling this inquiry from World Wildlife Fund as a media inquiry, since it may end up as a blog or article on the WWF website. The proposed response comes from OLEM's Office of Emergency Management. I'd like to send our final response to the FEMA public affairs desk with an FYI they may be hearing from the reporter shortly. Reporter: Hannah Levitt, World Wildlife Fund Environment and Disaster Management program, Hannah.Levitt-intern@wwfus.org **Proposed response:**

Deliberative Process / Ex. 5

Inquiry:

My name is Hannah Levitt and I am a communications intern at the World Wildlife Fund Environment and Disaster Management program (envirodm.org). The program works with humanitarian and environmental groups to integrate environmental considerations into disaster relief and recovery outside of the U.S. As part of my internship, I am conducting research on environmentally friendly and community-driven disaster recovery efforts in the U.S. I am wondering if any of you can provide me with any further information regarding these kind of efforts in the U.S. or point me in the direction of someone who may be able to further discuss this topic

I am potentially doing a piece for our own website (a blog post, if you will), but I am also just information-gathering on disaster recovery efforts that are specifically environmentally focused.

To your knowledge what kinds of green/environmentally friendly disaster recovery efforts have occurred and/or are occurring in the U.S.? Do you have any specific examples you can provide me with or any contacts in organizations/nonprofits/etc.?

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

BACKGROUND

The response consists of: The pesticide program's desk statement on glyphosate; and its standard answer on the allegations surrounding Mr. Rowland. Rene Ebersole – the Nation – reneebersole@gmail.com

RESPONSE

Deliberative Process / Ex. 5

Inquiry:

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

Thanks for your time and attention.

Full Name: Dearen, Jason H.

E-mail: JDearen@ap.org

Full Name: Biesecker, Michael

E-mail: MBiesecker@ap.org

Message

Sent: 9/26/2017 6:12:47 PM

To: Sparacino, Jessica [sparacino.jessica@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Jones, Enesta

[Jones.Enesta@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Sorokin, Nicholas [sorokin.nicholas@epa.gov];

Valentine, Julia [Valentine.Julia@epa.gov]

Subject: RE: FOR REVIEW: Open Inquiries for Review -- 9/26/17 -- MORNING

From: Sparacino, Jessica

Sent: Tuesday, September 26, 2017 10:55 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>; Jones, Enesta < Jones.Enesta@epa.gov>; Lynn, Tricia

<lynn.tricia@epa.gov>; Sorokin, Nicholas <sorokin.nicholas@epa.gov>; Sparacino, Jessica

<sparacino.jessica@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia

<Valentine.Julia@epa.gov>

Subject: FOR REVIEW: Open Inquiries for Review -- 9/26/17 -- MORNING

Non-Hurricane:

E&E News, DEADLINE: 9/25 (Sean Reilly), Re: Ozone Nonattainment Classification Proposal. Tricia Lynn.

- CBS Philadelphia, DEADLINE: 9/22 (Brandon Longo), Re: EWG Report on arsenic in drinking water. Enesta Jones.
- New York Times, DEADLINE: 9/15 (Rebecca Lai), Re: Follow-up on "unhealthy days" for PM2.5. Enesta Jones.
- Power Magazine, DEADLINE: 9/14 (Sonal Patel), Re: Steam electric postponement. Tricia Lynn.
- Newark Star Ledger, DEADLINE: 9/7 (Dave D'Alessandro), Re: Frontier/environment America Research and Policy Center. Tricia Lynn.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.
- WTOP, DEADLINE: 10/12 (Kristie Clement), Re: WTOP cybersecurity roundtable discussion. Robert Daquillard.

Sammies Interview Requests

• Washington Post (Joe Davidson) (9/13)

Hurricane Harvey:

- ABC News-Washington (Stephanie Ebbs) Update on Valero benzene leak. (9/14)
- AFP (Delphine Touitou) Confirmation on letter and inquiry into Arkema plant. (9/12)
- AP (Frank Bajak) Environmental testing at Houston spill sites. (9/22)
- Argus Media (Chris Knight) Clarification re: emergency fuel waivers. (9/7)
- Argus (Chris Knight) Waiver data. (9/21) (DDL: 9/21)
- <u>Bloomberg (Meenal Vamburkar)</u> Valero leak. (9/15)
- BNA (Sylvia Carignan) Post-hurricane Superfund site summaries. (9/15)
- BNA (Sam Pearson) Administrator Pruitt's remarks on Arkema. (9/12)
- BNA (Adam Allington) Retail facility cleanup and RCRA guidelines. (9/7)
- <u>CQ (Jackie Toth)</u> Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)
- <u>E&E News (Corbin Hiar)</u> Seeking copy of 9/7 letter to Arkema. (9/12)
- E&E News (Corbin Hiar) Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)
- Fox News (Maggie Kerkman) Amount of debris.
- Houston Chronicle (Matt Dempsey) Arkema release from Friday. (9/18)
- Houston Public Media (Travis Bubenik) Arkema response to EPA letter. (9/19)
- Moody's Investor Service (Roy Ousley) Seeking names of affected water systems. (9/12)

- San Antonio Express-News (Rye Druzin) Valero plant and RINs. (9/14)
- <u>Univision 45 Houston (Jessica Rivera)</u> Benzene and Valero plant. (9/14)
- <u>Vice (Alex Lubben)</u> U.S. Oil Recovery. (9/19)

Hurricane Irma:

- 2U (John Rehm) Access to clean drinking water in Texas and Florida. (9/14)
- Al Jazeera (Elizabeth Gorman Shaw) Interview: Hurricane cleanup and recovery. (9/21)
- Associated Press (Matthew Brown) Non-Superfund chemical/petrochemical storage sites. (9/8)
- Associated Press (Michael Biesecker) Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)
- Associated Press (John Flesher) CWA storm water discharge permits. (9/13)
- <u>CQ (Elvina Nawaguna)</u> Hurricanes and climate change strategy. (9/11)
- <u>E&E News (Niina Heikkinen)</u> <u>Emergency response</u>, Administrator Pruitt, and funding. (9/7)
- <u>E&E News (Niina Heikkinen)</u> Emergency preparedness and climate change. (9/14)
- WIRED (Eric Niller) Hurricane debris disposal. (9/14)

Hurricane Maria:

- Washington Examiner (John Siciliano) Response in Puerto Rico and Virgin Islands.
- E&E News (Niina Heikkinen) Interview with emergency response staff.

E&E News, DEADLINE: 9/25 (Sean Reilly), Re: Ozone Nonattainment Classification Proposal. Tricia Lynn.

Background:

Reporter wants to confirm whether the ozone classifications package currently with OMB is the final rule for 2015 ozone classifications. Response was cleared through OGC and OAR's division office. Reporter is Sean Reilly (sreilly@eenews.net) of E & E.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

I received a short voicemail from Sean Riley with E&E News, indicating that he's doing a story on the ozone classifications package with OMB. Specifically, he wants to confirm whether this is the final rule for 2015 ozone classifications.

I defer to y'all on follow-up. Mr. Riley's number is 202.446.0433.

CBS Philadelphia, DEADLINE: 9/22 (Brandon Longo), Re: EWG Report on arsenic in drinking water. Enesta Jones.

Background: CBS Philadelphia reporter is asking for our reaction to the Environmental Working Group's Report on arsenic in drinking water. Publicly available information. Response input from OW. Brandon Longo, longo@cbsphilly.com

| Suggested Response: | Deliberative Process / Ex. 5 | |
|---------------------|------------------------------|--|
| | Deliberative Process / Ex. 5 | |

Inquiry:

Hello Enesta:

I was wondering if the EPA had any statement in response to report released by the Environmental Working Group: "Cancer-Causing Arsenic Contaminates Tap Water for 70 Million Americans"?

http://www.ewg.org/enviroblog/2017/09/cancer-causing-arsenic-contaminates-tap-water-70-million-americans#.WcQmvdVSzyP

Would appreciate any info thanks

New York Times, DEADLINE: 9/15 (Rebecca Lai), Re: Follow-up on "unhealthy days" for PM2.5. Enesta Jones.

Background:

NYT reporter returned, asking for the pollutant, PM2.5, data. OAR/OAQPS crunched the numbers from our AirNow website and provided appropriate caveats. Rebecca Lai, rebecca.lai@nytimes.com

Suggested Follow-up Response:

Deliberative Process / Ex. 5

Inquiry:

Thank you for your help. Do you have the summary numbers for county-days that were "Very Unhealthy" or higher for PM2.5?

Power Magazine, DEADLINE: 9/14 (Sonal Patel), Re: Steam electric postponement. Tricia Lynn.

Background:

Yesterday EPA finalized a rule postponing certain compliance dates by two years for the effluent limitations guidelines and standards for steam electric power plants (ELG Rule) that were issued in November 2015, meaning compliance isn't expected to be achieved until November 2020. EPA also said it doesn't expect to issue a new final rule for at least three years, maybe later, and that technology specifications would be defined in a revised rule that it seeks to issue in fall of 2020. Reporter wonders if that will that be enough time for facilities to abide by the new requirements, and also what EPA would say to those who've already begun preparations to comply with the rule. Reporter is Sonal Patel (SPatel@powermag.com) of *Power* magazine.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Hi Enesta, I hope you are well.

The EPA yesterday finalized a rule postponing compliance dates for FGD and bottom ash wastestreams by two years, meaning compliance isn't expected to be achieved until November 2020. However, the EPA also said it doesn't expect to issue a new final rule for three years, maybe later—and it said in the rule technology specifications would be defined in a revised rule that it seeks to issue in fall of 2020. My question is, if the EPA decides to revise technical requirements, will that be enough time for facilities to abide by the new requirements?

Newark Star Ledger, DEADLINE: 9/7 (Dave D'Alessandro), Re: Frontier/environment America Research and Policy Center. *Tricia Lynn*.

Background:

Reporter is asking if EPA will issue any reaction to the recent <u>Frontier/Environment America Research & Policy Center (EARPC) report</u>, "Rough Waters Ahead: The Impact of the Trump Administration's EPA Budget Cuts on the Delaware River Basin." OCFO has suggested a response, though perhaps the third floor has something different in mind. Reporter is Dave D'Alessandro (<u>DDALESSANDRO@STARLEDGER.COM</u>) of Newark Star-Ledger.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Are there any plans to issue an EPA reaction to the recent Frontier/EARPC report?

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

The response consists of: (b) (5) / Deliberative Process (b) (5) / Deliberative Process

| Proposed Resp | ponse: |
|---------------|--------|
|---------------|--------|

Deliberative Process / Ex. 5

Inquiry:

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

Thanks for your time and attention.

WTOP, DEADLINE: 10/12 (Kristie Clement), Re: WTOP cybersecurity roundtable discussion. Robert Daguillard.

INVITATION TO PRE-RECORDED ROUNDTABLE DISCUSSION FOR BROADCAST.

WTOP and Federal News Radio will be hosting one of their occasional roundtable discussions on federal cybersecurity on October 12. The program will feature Chief Information Security Officers (CISOs) from several federal agencies. The organizers would like to include Sean Kelley, the agency's CISO. We've usually agreed to such invitations in the past as the agency's IT staff officers are very media savvy and know not to discuss things like our vulnerabilities. Please advise whether this is OK to do.

Inquiry:

On behalf of WTOP, Federal News Radio, and FedInsider, I am extending this invitation to Sean Kelley, CISO, or an alternate speaker from his office to participate in a Capital Exchange roundtable interview.

We hope he can join us as part of a panel of six to eight senior federal agency officials to discuss government and cybersecurity on Thursday, October 12 from 12 noon to 2 p.m. at the WTOP/Federal News Radio studios at 3400 Idaho Avenue, NW, Washington, DC 20016. Tom Temin, host of The Federal Drive on Federal News Radio, will moderate the conversation.

The theme for this roundtable discussion will focus on tools and strategies for reducing the cybersecurity threat in government.

The discussion will take place in two parts followed by an optional tour of the WTOP studio. Arrival at studio: 11:45 a.m.

- 12 noon 12:30 p.m. Lunch: The group will talk about their background, agency profile, and other introductory remarks as lunch is served. Tom Temin will frame the topic and engage perspectives from participating SMEs.
- 12:30 p.m. 1:45 p.m. The formal discussion will take place. The conversation will be audio recorded for documentation rather than broadcast, and the content will be edited into an editorial montage white paper that covers best practices in assessing the use of and implementing cloud. See below for questions that will be discussed.
- Following the roundtable, you are welcome to join us for a 15-minute optional tour of the WTOP "glass-enclosed nerve center" to see where DC's largest radio station covers the news, weather and traffic 24 hours a day.

Editorial control for the discussion is under the direction of Federal News Radio, specifically moderator Tom Temin. The following will be examined during the interview:

- What are agencies looking for/doing with respect to shared cybersecurity services?
- How agencies are dealing holistically with cyber in hybrid (data center + cloud) infrastructures.
- How is government monitoring, controlling or mitigating the effects of botnets
- Describe your agency's risk assessment/risk mitigation activities

The Capital Exchange Roundtable is presented by these leading media organizations:

- WTOP 103.5 FM 1.5 million weekly listeners, over 278,000 of whom are Federal employees;
- <u>WTOP.com</u> 2.5 million unique weekly viewers;
- WFED 1500 AM 80,000 weekly listeners, 70% Federal employees, 87% GS-10 or higher;
- <u>FederalNewsRadio.com</u> 240,000 visitors per month, 50% outside the DC area; &
- FedInsider 250+ weekly registrants nationwide for online webinar presentation, plus 120,000+ reached via Newsletter announcements, Twitter, and other social media.

Logistical Details:

Date: Thursday, October 12, 2017

Time: 12 noon to 2 p.m.

Location: WTOP/Federal News Radio, 3400 Idaho Avenue NW, Washington, DC 20016, 1st floor

Parking: Street parking around the building, accessible via 39th St. NW

(There is also ample underground parking across from WTOP/Federal News Radio under the Giant supermarket on

Newark Street NW.)
Dress: Business attire

RSVP: Peg Hosky, peg@hosky.com, Phone: 202-237-0300 Cell: 202-251-6988

Sponsors

This education forum is presented by WTOP, Federal News Radio, and FedInsider. Akami and Carahsoft are sponsors and will have a participant in the roundtable discussion. There will be no commercial content, and no expressed or implied endorsement of any company or product, but rather a technology discussion among knowledgeable people.

Sammies Interview Requests

BACKGROUND:

The Partnership for Public Service, the group that awards the Sammies, has three requests from reporters for interviews with the VW team [OECA's Phil Brooks, OTAQ's Byron Bunker and DOJ's Joshua Van Eaton (DOJ will handle Josh's availability)]:

- TIME magazine correspondent Maya Rhodan 202-861-4093;
- The Washington Post columnist Joe Davidson, Federal Insider; and
- The Atlantic, Russell Berman, 646-539-6678.

The Sammies press folks gave both an embargoed list of the recipients as well as links to their profiles on servicetoamericamedals.org website.

Washington Post

The Post writer's column is covers federal government accountability, service and workplace issues. In March 2016, the Insider replaced the Federal Diary, which had covered federal employees since 1932. He has already completed interviews with the other Sammies winners and would love interview this team as soon as possible.

From the Sammies press team: Joe has covered our Sammies honorees for several years now and the pieces have turned out very well. For an idea of the way Joe covers our Sammies honorees, <u>here is the article he wrote after the Sammies breakfast</u> this past spring.

Joe plans to cover the names and brief info about each winner. The story will be published very close to the date of the gala (September 27). His questions Joe will cover the basics like why did you choose federal service and what is most rewarding and frustrating about your work.

Reporter was previously was an assistant city editor at The Washington Post and a Washington and foreign correspondent with The Wall Street Journal, where he covered federal agencies and political campaigns.

The Atlantic

This would be one fairly lengthy story that would begin with an intro about the awards and then feature 300-ish word vignettes of a selection of the award winners. The story will be published the morning of September 27.

He will be asking them to describe their jobs and the work for which they've been recognized.

(of note: Russell said the profiles are a helpful guide, but this interview is an opportunity for them to talk about their work in their own words)

For an idea of the format of the article, here is a piece Russell did earlier last year on the Sammies winners.

He is a senior associate editor at The Atlantic, where he covers political news. He was previously a congressional reporter for The Hill and a Washington correspondent for The New York Sun.

TIME

TIME magazine would like to feature the outstanding accomplishments of each of the Sammies winners in print and online. For print, the story includes a 150-word introduction that will feature the partnership for public service CEO discussing the importance of Sammies, followed by 250-word profiles on each of the winners. The online version will be longer form, yet the structure and layout should be similar.

TIME correspondent Maya Rhodan would like to interview the VW team either by conference call or by email before next Tuesday (September 19). Given the time constraints, she can interview them based on what best accommodates schedules. Her questions will be broad brush and focus on the work the team is doing.

HURRICANE REQUESTS

HURRICANE HARVEY

ABC News-Washington (Stephanie Ebbs) - Update on Valero benzene leak. (9/14)

Was there any new information about the Valero benzene leak out today? I'm seeing references to new information from EPA but I didn't see a release or anything

AFP (Delphine Touitou) - Confirmation on letter and inquiry into Arkema plant. (9/12)

My collegue Douglas Gillison contacted you a couple of hours ago to try to confirm the information published in some US media saying the Environmental Protection Agency has opened an inquiry into whether the Arkema chemical plant in Crosby, Texas followed federal safety rules to protect against hazards, following explosions at the facility that resulted from Hurricane Harvey flooding.

Could you confirm this information please?

The medias also mentionned a letter sent to Arkema on September 7th urging Arkema to reply in 10 days. Could you also confirm this point please? It is very urgent.

AP (Frank Bajak) – Environmental testing at Houston spill sites. (9/22)

I'm interested in getting a rundown on where EPA is collecting air, water and soil samples related to actual or suspected Harvey-related petrochemical spills and releases in 1) the Houston metropolitan area 2) other parts of Texas.

I'd appreciate if someone could talk me through this. I know there is Arkema, the Valero refinery and Superfund sites and would like to know the nature and extent of sampling. I'm curious also about various spills reported to the Coast Guard's NRC.

Argus Media (Chris Knight) - Clarification re: emergency fuel waivers. (9/7)

I'm just trying to understand the difference here. Is the main thing that EPA extended the deadlines of the RFG through September 26?

Argus (Chris Knight) - Waiver data. (9/21) (DDL: 9/21)

EPA press, I'm doing a story about the expiration in the coming week or so of fuel waivers and other waivers from EPA, Homeland Security, highway operating hours, etc., along with the benefits the waivers provided to areas hit by Irma/Harvey/Maria.

Questions:

- Does EPA plan to extend further any of its fuel waivers or enforcement discretion notices?
- Has EPA collected data/information it can share on use of its waivers? I'm trying to sum up what benefits the waivers have provided to those hit by the storms but haven't seen any type of government data on this (E.g., retailers were able to sell XX million barrels that were otherwise unavailable)

Deadline is 3:30 p.m. today.

Bloomberg (Meenal Vamburkar) - Valero leak. (9/15)

I'm following up on the Valero benzene/chemical leak after the hurricane. It's been reported that the leak was bigger than originally estimated and that Valero will be putting out a revised report. Is there a time-frame in which we can expect the revised numbers from the company -- or any other EPA update on the investigation?

BNA (Sylvia Carignan) - Post-hurricane Superfund site summaries. (9/15)

A question about this line from the press release:

"Post-hurricane Superfund site summaries based on preliminary data results are being released."

Where are these summaries available?

BNA (Sam Pearson) – Administrator Pruitt's remarks on Arkema. (9/12)

Do you have a copy of the Section 114 letter sent to Arkema?

If the letter is being shared with the Washington Examiner, does that mean that EPA will release the letter? Not understanding the rationale for only releasing it selectively.

Also, can anyone explain Administrator Pruitt's comment that "The concern about some of those risk management plans is the data in those RMPs are actually intelligence or information our adversaries — terrorists — can use to attack soft

targets across this country. So we [have to] make sure those RMPs are done the right way to assure we are not equipping our adversaries."

Under existing RMP regulations, Arkema already disclosed it kept as much as 66,260 pounds of sulfur dioxide and 86,000 pounds of 2-Methylpropene on site.

From my reading of the final rule that Administrator Pruitt delayed, the main additional requirements would have been:

- required companies to tell the public, if asked, that the information is available, and the companies would track who requested the information.
- Companies would be required to share the names of regulated substances used in a process at the plant
- The substances' safety data sheets
- the plant's five-year accident history (this is already listed on existing RMPs, they just have to be obtained from EPA rather than the plant)
- a list of scheduled emergency response exercises the plant has conducted (not the content of the exercises or what vulnerabilities they were concerned about or specific things of that nature)
- contact information for the Local Emergency Planning Committee responsible for the plant (again this information could already be obtained through basic research but in theory would be faster this way)

How does any of this = detailed information about all chemicals that are there? How specifically would a terrorist exploit this process to obtain "intelligence" to "attack soft targets across this country"?

BNA (Adam Allington) - Retail facility cleanup and RCRA guidelines. (9/7)

Adam Allington from Bloomberg BNA here.

I'm working on a story about cleanup of retail facilities after Hurricane Harvey. Places that sell products which fall under the guidance of hazardous waste, when thrown away...paints, aerosol cans, perfumes, medicine, etc.

I was wondering if EPA has issued any for temporary relaxation of RCRA guidelines as a response to disaster declarations? If you could let me know on this one particular point I would be very grateful

CQ (Jackie Toth) – Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)

Can I get a copy of the letter Admin. Pruitt sent to Arkema with concerns over whether it had followed its Risk Management Plan and the Sept. 7 request for information to the company?

E&E News (Corbin Hiar) - Seeking copy of 9/7 letter to Arkema. (9/12)

Can EPA please provide a copy of the Sept. 7 letter to Arkema asking for information related to its Crosby, Texas, plant explosion? I plan to file a story about this by 11 a.m. this morning.

E&E News (Corbin Hiar) - Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)

I'm planning to file a story on Friday about Superfund sites and climate change, so I want to give EPA the opportunity to weigh in on it.

The story notes that the flooding and potential contaminant leaks at the San Jacinto Waste Pits site closely to matches a scenario described in the Office of Solid Waste and Emergency Response's Climate Change Adaptation Implementation Plan. While that report is still listed on EPA's Superfund Climate Change Adaptation <u>page</u>, the link to it leads to a page that is being updated to reflect EPA's new priorities.

To what extent, if at all, does EPA think the flooding that occurred at Superfund sites in the wake of Hurricane Harvey is related to climate change? How much, if at all, would the OSWER climate adaptation plan have helped the agency better prepare for Harvey's impacts? How much, if at all, would regulators, responsible parties and affected communities benefit from having access to the OSWER climate plan?

Also, were any Superfund sites in Florida damaged by Hurricane Irma? If so, which ones and to what extent were they damaged?

Please let me know if you have any questions about the story. And thanks for any feedback you can provide by EOD tomorrow.

Fox News (Maggie Kerkman) - Amount of debris. (9/26)

Would you happen to have anyone in the Dallas area who could talk about just the enormous amount of debris that needs to be removed in the wake of Harvey? We're trying to do a follow up story on the storm and looking for an expert who could give us a sense of how vast this job is.

Houston Chronicle (Matt Dempsey) – Arkema release from Friday. (9/18)

I still have a number of questions. Would prefer an interview but if that's not possible... here's the questions:

Why only one day of water samples?

Was any soil testing done?

Was any air testing done for phenol?

Did the EPA do air modeling and if so for what chemicals and what were the results?

When ASPECT was used, what time of day was the craft run? Why test for only the half mile around the plant?

Was any air monitoring done outside of the half mile around the plant? What about outside the evacuation zone?

Can I get any email communications between the EPA and Arkema from Aug. 25 through Sept. 5?

Houston Public Media (Travis Bubenik) – Arkema response to EPA letter. (9/19)

Morning, has Arkema responded to <u>this information request</u> yet? (Not sure if the 10 days requirement counts weekends or just business days...)

Moody's Investor Service (Roy Ousley) - Seeking names of affected water systems. (9/12)

I read the statement regarding status of water systems in the area affected by Harvey, and wanted to know if it was possible for you to provide me with the names of the water systems that have been affected. Particularly the 50 drinking systems that are shut down.

San Antonio Express-News (Rye Druzin) – Valero plant and RINs. (9/14)

Joe Gorder, the CEO of Valero Energy Corp., the largest U.S. refiner, said that the \$800 million to \$1 billion that Valero is paying for RINs costs do not go to the government, but rather brokers (the people who buy fuel from Valero, blend it and get the RINs credit) who resell the RINs to Valero.

This is a direct quote from Mr. Gorder, from a talk today:

"We sell it at the refinery, it goes through a pipe, it gets out here. Ethanol gets blended into it. That person that blends it captures the credit, which identifies that the ethanol has been blended. He doesn't need it, he doesn't have an obligation. I'm back here, I've produced the fuel, I do need the credit, he hangs onto them until I cry uncle and then he sells them to me at an inflated price and I get them to the government to show compliance. That is \$800 million to \$1 billion that's not being paid to the government; it's being paid to individual companies out there that are capturing these credits, brokers

who are between us and you. What this means is you're paying 8 to 10 cents a gallon more than you need to for your fuel because of this policy."

I would like to know if Mr. Gorder's characterizations are correct, and I need a response ASAP, no later than 6 p.m. Central Time (7 p.m. ET).

I would prefer an emailed response because it will be easier to put into the story. Thank you.

Univision 45 Houston (Jessica Rivera) - Benzene and Valero plant. (9/14)

Univision 45 in Houston, Texas is requesting information on a Houston Chronicle report that Valero Energy "significantly underestimated" the amount of cancer-causing benzene and other volatile compounds leaked from its Houston refinery during Hurricane Harvey's torrential rains, the U.S. Environmental Protection Agency said Thursday.

Do you have any information?

Or, could you provide us with the EPA media contact for Texas?

I searched on the website for the Texas contact and the information would not pop up when I scrolled over the media map.

Vice (Alex Lubben) - U.S. Oil Recovery. (9/19)

Hi Jahan

Has the EPA conducted any sort of clean up operation post-Harvey at the U.S. Oil Recovery Superfund site since the Harvey floodwaters receded?

HURRICANE IRMA

Al Jazeera (Elizabeth Gorman Shaw) - Hurricane cleanup and recovery.

I'm a journalist for "Fault Lines" at Al Jazeera English. I'm interested in making an interview request for a story I'm working on about Hurricane cleanup and recovery.

Associated Press (Matthew Brown) – Non-Superfund chemical/petrochemical storage sites. (9/8)

Greetings-

As part of the EPA's preparations for Irma, can you please tell me if the agency is also trying to assess safety of chemical/petrochemical storage sites that are NOT on the Superfund list?

I'm also following up on earlier questions (repeated below) regarding Harvey-related spills from petrochemical storage tanks.

HARVEY QUESTIONS:

- -has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?
- -has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?
- -are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?
- -Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?
- -can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)

-broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Associated Press (Michael Biesecker) - Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)

My understanding is that EPA Region 4 has prepared a vulnerability assessment of Florida Superfund sites potentially at risk from Irma that lists Homestead Air Force base, Airco Plating and Cabot Copper as being potentially vulnerable to flooding.

Could you please provide a copy of the assessment? Also, we would be interesting in reporting details of what preparations and monitoring is taking place at those sites as storm progresses.

Would you have time to talk to me or my colleague Jason, copied on this email, later today?

Associated Press (John Flesher) – CWA stormwater discharge permits. (9/13)

I'm putting together a story for AP today on sewage overflows in Florida resulting from Hurricane Irma and have a few questions about EPA's announcement regarding Clean Water Act stormwater discharge permits:

- -Does this mean that permit holders will be allowed to discharge untreated or partially treated sewage into waters in ways that ordinarily are impermissible under the Clean Water Act?
- -If so, for how long will this waiver be in place?
- -What other kinds of exceptions to normal permit requirements would these "upset" or "bypass provisions allow?
- -How often are such waivers granted? Is it done routinely during hurricanes, or is does this represent a new policy for EPA? Aside from hurricanes, under what other circumstances would justify such waivers?

CQ (Elvina Nawaguna) – Hurricanes and climate change strategy. (9/11)

I'm working on a story about whether Hurricanes Harvey, Irma, Jose can change the conversation about climate change especially among GOP lawmakers who have rejected climate science. Would like to talk with/ get a response from Administrator Pruitt's office on what role climate change may have played in the unusually huge storms and whether the EPA is considering taking stronger action to mitigate climate change. Scientists have said while climate change did not directly cause the storms, it certainly made the flooding worse and project more extreme weather events What strategy does the EPA have going forward?

E&E News (Niina Heikkinen) - Emergency response, Administrator Pruitt, and funding. (9/7)

I'm writing something for tomorrow about what Administrator Pruitt and the agency is doing ahead of Irma. Does EPA have the funding it needs to do two (and potentially three) back to back emergency responses? Will Pruitt be making any TV appearances in the coming days to talk about the storm response?

I'm also interested in what sort of work is happening in Puerto Rico and the Virgin Islands, which haven't gotten as much media attention. Does Administrator Pruitt plan to visit Florida?

E&E News (Niina Heikkinen) - Emergency preparedness and climate change. (9/14)

I'm working on an article for tomorrow about how climate change is being incorporated in emergency response and preparedness efforts.

First, are your staff still using resources such as the National Climate Assessment in planning for future storms like Harvey and Irma?

Are emergency management staff examining different scenarios including sea level rise, precipitation rates, or wildfire frequency that could impact facilities under EPA's jurisdiction?

If you are able to connect me with anyone working in emergency management this afternoon, I'd very much appreciate it.

WIRED (Eric Niiler) – Hurricane debris disposal. (9/14)

I'm a Washington-based contributing writer for WIRED and am putting together a story for Friday (tomorrow) on debris removal after Hurricanes Harvey and Irma. I'd like to either connect with someone by phone, or have a few questions answered in writing:

- -Have state environmental officials in Texas or Florida asked for waivers for EPA disposal rules that would allow mixed solid/hazardous waste into construction and demolition landfills? -If so, has the EPA granted any waivers yet?
- -Has the Office of Land and Emergency Management (OLEM) addressed concerns raised by a 2016 Office of Inspector General's report on disaster debris:

https://www.epa.gov/sites/production/files/2016-06/documents/20160629-16-p-0219.pdf

- , specifically have they collected information from state agencies about planning for disposal after storms?
- -Does OLEM have post-disaster debris disposal plans from state officials for the relevant regions of Texas and Florida?
- -Has EPA and OLEM incorporated the effects of climate change into post-disaster debris planning as noted by the OIG report (pp. 3-4) and the 2014 EPA Climate Change Adaptation Plan?
- -Anything else that EPA would like to add about its role in debris disposal in Texas and Florida?

2U (John Rehm) – Access to clean drinking water in Texas and Florida. (9/14)

I was wondering if you had any data or information on how many people are without access to clean drinking water in both Texas and Florida.

HURRICANE MARIA

Washington Examiner (John Siciliano) - Response in Puerto Rico and Virgin Islands.

Can you explain the pause in Puerto Rico and V. Islands? Is it because its too hazardous?

E&E News (Niina Heikkinen) – Interview with emergency response staff.

Is there any chance I'd be able to talk to some emergency response staff on the ground in Puerto Rico (or any who have recently returned)? I'm working on writing something about EPA's response to Hurricane Maria and would very much like a more personal perspective of what's going on there. If possible, I'd like to speak with someone today.

Message

From: Dearen, Jason H. [JDearen@ap.org]

Sent: 10/20/2017 8:25:26 PM

To: StClair, Christie [StClair.Christie@epa.gov]
Subject: Associated Press Inquiry about Superfund

Hi Christie,

Quick question: is there a way to easily determine the recipients of EPA Technical Assistance Grants? I'm interested in a list of TAG and TASC (Technical Assistance Services for Communities) grant recipients from 2012-2017. My deadline is end of day Monday. I'm at 352-213-9949.

I'll follow up with a call if I don't hear back. Jason



Jason Dearen -- Correspondent The Associated Press PO Box 5696 Gainesville, FL 32627 T 352.213.9949

Twitter: @JHDearen Email: <u>jdearen@ap.org</u>

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 9/8/2017 3:50:59 PM

To: StClair, Christie [StClair.Christie@epa.gov]

Subject: RE: Superfund sites & storm surge

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: StClair, Christie

Sent: Friday, September 08, 2017 11:32 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: FW: Superfund sites & storm surge

Nancy, here is what we sent them initially.

From: StClair, Christie

Sent: Wednesday, August 30, 2017 6:54 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Dearen, Jason H. < JDearen@ap.org>

Cc: Press < Press@epa.gov >

Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks,

Christie

From: Sorokin, Nicholas [sorokin.nicholas@epa.gov]

Sent: 9/5/2017 6:22:26 PM

To: StClair, Christie [StClair.Christie@epa.gov]
CC: Sparacino, Jessica [sparacino.jessica@epa.gov]

Subject: WH report draft (9/5/17)

Daily Wrap

Hurricane Harvey

ABC News (Sarah Shales); CBS (Caroline West); NPR (Rebecca Hersher); Breitbart Texas (Bob Price); CNBC (Michael Newberg); Bloomberg Law (Steven Sellers); CBS Evening News (Ian Flickinger); Houston Chronicle (Lise Olsen); Politico (Anthony Andragna) - Questions on Superfund site flooding.

ABC News (Lloyd Whitney); E&E News (Ariel Wittenberg); Washington Post (Sarah Larimer) - Seeking update on impacted water systems. Liz responded.

AP (Michael Biesecker) - Questions on Superfund sites and climate change. Amy responded.

AP (Michael Biesecker) - Requesting test results from air sampling conducted during Arkema plant fire.

Bloomberg (Jennifer A. Dlouhy); WHYY (Irina Zhorov) - Inquiry regarding emergency fuel waivers.

Breitbart Texas (Bob Price) - Requesting interview with the Administrator regarding flooding, chemical facilities and Harvey relief efforts.

CBC News Network (Lyndsay Duncombe) - Requesting interview with EPA representative in Houston regarding environmental challenges post Harvey.

CNN (Stephanie Becker) - Requesting to accompany EPA staff during post-Harvey site surveys.

DTN/The Progressive Farmer (Todd Nealey); CNN (Kevin Bohn); Dagny Salas (New York Times) - Requesting to be added to EPA distro list.

E&E News (Hannah Northey) - Inquiry regarding point of contact for air pollution concerns in the wake of Hurricane Harvey.

Energy News Today (John Wright) - Inquiry regarding new fuel waiver requests.

Health, Science & Environment (Brady Dennis); CBC News Network (Ian Clarke); BuzzFeed (Cora Lewis); KPRC (Robert L. Arnold) - Seeking update on Arkema plant in Crosby. Amy and Michael responded.

Houston Public Media (Travis Bubenik) - Inquiry regarding Houston area air quality data. Liz responded.

Houston Chronicle (Lise Olsen); NPR (Rebecca Hersher); KTRK-TV (ABC Houston) (Jeff Ehling) - Seeking update on San Jacinto Waste pits. Liz and David responded.

Houston Public Media (Travis D. Bubenik) - Follow-up and inquiry regarding owenership of San Jacinto Waste Pits website. Liz responded.

InsideClimate News (Phil McKenna) - Seeking login information for environmental justice/Hurricane Harvey teleconference.

KQED (The California Report) (Polly Stryker) - Requesting interview with chemical spill specialists sent to Houston.

Law360 (Juan Carlos Rodriguez), - Inquiry regarding faulty link on water systems press release.

New York Times (Jon Schwartz) - Inquiry regarding debris removal.

NPR (Jennifer Ludden) - Questions regarding EPA inspection of plants damaged by Harvey and request to accompany EPA staff. Liz responded.

Politico (Matthew Nussbaum); Washington Examiner (Kyle Feldscher); Fox News (Nicole Darrah); New York Post (Joe Tacopino) - Inquiry regarding EPA statement on AP reporting. Liz responded.

Radio France International (Tom Umbdenstock) - Links between climate change and Harvey.

Quartz.com (Zoe Schlanger) - Inquiry regarding Superfund sites and San Jacinto Waste pits.

Wall Street Journal (Melanie Evans) - Requesting interview regarding benzene testing. David responded.

Wall Street Journal (Melanie Evans) - Follow-up response regarding specifics of benzene testing.

Non-Harvey Related

Alaska Public Radio (Liz Ruskin), Talking Points Memo (Caitlin MacNeal) - Inquiry regarding review of EPA grant applications.

Argus Media (Laura Mojonnier) - DC circuit court decision on effluent limitations data.

Bloomberg (Ryan Beene) - Seeking opening statement and list of speakers for MTE hearing.

BNA (Abby Smith) - Inquiry regarding methane source performance standards. Amy responded.

BNA (Tiffany Stecker) - Reporter seeking confirmation EPA is considering restrictions on dicamba use.

BNA (Pat Rizzuto) - Seeking comment on EDF TSCA rule lawsuit.

Chemical Watch (Frank Zaworski) - Pre-manufacturing notices and Significant New Use Rules for chemicals.

Current Newspapers (Washington DC; Grace Bird) - EPA stance on outdoor crumb rubber turf- ORD responded to reporter.

E&E News (Robin Bravender) - NEPA complaince inquiry.

Law360 (Juan Carlos Rodriguez) - Inquiry regarding Delaware smog ruling.

New Ag International (Jean-Pierre Leymonie) - Reporter asking for OPP scientist interview on biostimulants and bioptesticides for 1,000-word piece to publish in November.

Politico (Jenny Hopkinson) - Reporter seeking confirmation EPA is considering restrictions on dicamba use.

ProPublica (Abrahm Lustgarten) - Requesting interview on the hazardous waste recycling process.

WUSA-TV 9 (Washington DC; Eliana Block) – Reporter seeking information on any past investigations into Sergeant's flea control products following customer complaints products are making pets ill.

Top Stories

Hurricane Harvey

http://www.washingtonexaminer.com/sen-tom-carper-scolds-epas-scott-pruitt-over-arkema-plant-explosions-after-harvey/article/2633248

Sen. Tom Carper scolds EPA's Scott Pruitt over Arkema plant explosions after Harvey

http://www.politico.com/story/2017/09/03/trump-epa-reporter-attacked-hurricane-242300

Trump's EPA attacks AP reporter in personal terms

http://www.foxnews.com/us/2017/09/03/nearly-one-third-houston-area-superfund-sites-flooded-epa-says.html
Nearly one-third of Houston-area Superfund sites flooded, EPA says

http://dailycaller.com/2017/08/30/trumps-epa-claims-climate-scientists-are-politicizing-hurricane-harvey/ Trump's EPA Claims Climate Scientists Are Politicizing Hurricane Harvey

http://dailycaller.com/2017/09/04/epa-says-misleading-press-reports-about-houstons-toxic-waste-sites-create-panic/

EPA Says 'Misleading' Press Reports About Houston's Toxic Waste Sites Create Panic

https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2017/09/05/the-energy-202-epatakes-page-from-trump-media-playbook/59adbef930fb04264c2a1c96/?utm_term=.cb0b8c77d627

EPA takes page from Trump media playbook

http://thehill.com/homenews/administration/349094-ap-stands-by-report-after-epa-attack

AP pushes back against EPA's criticism of Superfund story

http://thehill.com/policy/energy-environment/349068-epa-defends-action-on-flooded-superfund-sites-in-houston EPA defends action on flooded Superfund sites in Houston

http://thehill.com/policy/energy-environment/349012-epa-says-13-superfund-sites-possibly-damaged-after-harvey EPA finds 13 Superfund sites possibly damaged after Harvey

http://thehill.com/policy/energy-environment/348988-epa-hasnt-inspected-flooded-houston-area-superfund-sites EPA hasn't inspected flooded Houston-area Superfund sites: report

http://www.reuters.com/article/us-storm-harvey-arkema/evacuation-lifted-around-arkemas-flooded-texas-chemical-plant-idUSKCN1BF1EM

Evacuation lifted around Arkema's flooded Texas chemical plant

http://www.foxnews.com/weather/2017/09/04/harvey-victims-face-long-term-health-dangers-following-storm-historic-flooding/

Harvey victims face long-term health dangers following the storm's historic flooding

http://www.foxnews.com/us/2017/09/04/harvey-aftermath-mayor-says-houston-open-for-business-despite-major-hurdles.html

Harvey aftermath: Mayor says Houston 'open for business' despite major hurdles

http://hosted.ap.org/dynamic/stories/U/US_HARVEY_DIRTY_WATER?SITE=AP&SECTION=HOME&TEMPLATE=DEFAUL T

HARVEY'S FLOODWATERS MIX A FOUL BREW OF SEWAGE, CHEMICALS

https://www.wsj.com/articles/houstons-environmental-threats-come-into-focus-1504554072

Houston's Environmental Threats Come Into Focus

https://apnews.com/27796dd13b9549b0ac76aded58a15122

AP EXCLUSIVE: Toxic waste sites flooded in Houston area

http://thehill.com/policy/energy-environment/348899-week-ahead-lawmakers-to-consider-harvey-aid

Week ahead: Lawmakers to consider Harvey aid

https://www.bloomberg.com/news/articles/2017-09-04/texas-chemical-plant-secured-after-post-hurricane-harvey-blazes

Texas Chemical Plant Secured After Post-Hurricane Harvey Blazes

Non-Hurricane Related

https://www.eenews.net/climatewire/2017/09/05/stories/1060059629

Pruitt for governor? Senator? President?

https://www.eenews.net/climatewire/2017/09/05/stories/1060059633

Home runs are done. Now Trump makes small moves on climate

https://www.washingtonpost.com/politics/epa-now-requires-political-aides-sign-off-for-agency-awards-grant-applications/2017/09/04/2fd707a0-88fd-11e7-a94f-3139abce39f5_story.html?utm_term=.7f4a58a2acc5

EPA now requires political aide's sign-off for agency awards, grant applications

http://thehill.com/policy/energy-environment/349177-epa-puts-trump-political-aide-in-charge-of-grant-funding-decisions

EPA puts Trump political aide in charge of grant funding decisions

http://www.reuters.com/article/us-usa-pesticides-epa-exclusive/exclusive-epa-eyes-limits-for-agricultural-chemical-linked-to-crop-damage-idUSKCN1BG1GT

Exclusive: EPA eyes limits for agricultural chemical linked to crop damage

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=119911994&vname=dennotallissues&fn=119911994&jd=119911994

Court Denies Extension of National Parks Air Pollution Deadline

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=119911995&vname=dennotallissues&fn=119911995&jd= 119911995

Environmental Defense Fund Contests EPA's Third Core Chemical Rule

http://dailycaller.com/2017/09/02/theres-a-strong-moral-case-for-energy-abundance-heres-why-video/

There's A 'Strong Moral Case For Energy Abundance.' Here's Why

http://hosted.ap.org/dynamic/stories/A/APFN_US_GAS_DRILLING_GASLAND_TOWN?SITE=AP&SECTION=HOME&TE MPLATE=DEFAULT

IN 'GASLAND' COMMUNITY, NEW TESTS REVIVE OLD DRILLING DEBATE

http://dailycaller.com/2017/08/30/exclusive-epa-has-a-report-identifying-officials-using-encryption-apps-and-this-legal-group-wants-it-made-public/

EXCLUSIVE: EPA Has A Report Identifying Officials Using Encryption Apps, And This Legal Group Wants It Made Public

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=119911995&vname=dennotallissues&fn=119911995&jd=119911995

Environmental Defense Fund Contests EPA's Third Core Chemical Rule

Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

Message

From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 8/31/2017 9:24:23 PM

To: StClair, Christie [StClair.Christie@epa.gov]

Subject: RE: Superfund sites & storm surge

We are interested in what Superfund sites are in flood plains, both in Texas and around the country. We have visited some sites in metro Houston. They are underwater, as one would expect. No obvious monitoring going to determine what might be seeping out.

We aren't suggesting that EPA should have parted the waters. More that this is a longstanding threat – and one that will get worse with more frequent storms, floods and sea-level rise.

Is EPA prioritizing cleanup of Superfund sites in flood zones? What has been done following the adaptation report? Are there particular sites around the country of significant concern?

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Thursday, August 31, 2017 5:17 PM

To: Biesecker, Michael

Subject: RE: Superfund sites & storm surge

Can you tell me a bit about your story, Michael? I'm going to elevate this a bit.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 31, 2017 4:56 PM **To:** StClair, Christie < StClair.Christie@epa.gov > **Subject:** RE: Superfund sites & storm surge

We will likely write about it before then.

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Thursday, August 31, 2017 4:54 PM

To: Biesecker, Michael

Subject: RE: Superfund sites & storm surge

Michael, we'll need until Tuesday. The one person who would know is out of the office until then.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 31, 2017 12:20 PM

To: StClair, Christie < StClair.Christie@epa.gov > Subject: RE: Superfund sites & storm surge

Thanks.

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Thursday, August 31, 2017 12:18 PM

To: Biesecker, Michael

Subject: RE: Superfund sites & storm surge

Oh my. I'll ask! Back to you shortly.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, August 31, 2017 11:37 AM **To:** StClair, Christie@epa.gov>

Cc: Press < Press@epa.gov>; Dearen, Jason H. < JDearen@ap.org>

Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]

Sent: Wednesday, August 30, 2017 6:54 PM **To:** Biesecker, Michael; Dearen, Jason H.

Cc: Press

Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks, Christie

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Message

From: Valentine, Julia [Valentine.Julia@epa.gov]

Sent: 8/30/2017 10:39:22 PM

To: StClair, Christie [StClair.Christie@epa.gov]

Subject: Fwd: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Attachments: Locations.xlsx; ATT00001.htm; Adaptation Summary Report_2_16_12 Final.pdf; ATT00002.htm

Go ahead and send after you finish the release.

Thanks

Julia P. Valentine Office of Media Relations 202.564.2663 Sent from USEPA iPhone

Begin forwarded message:

From: "StClair, Christie" < StClair.Christie@epa.gov>

Date: August 29, 2017 at 11:38:14 AM EDT

To: "Abboud, Michael" <abboud.michael@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>

Cc: "Valentine, Julia" < Valentine. Julia@epa.gov>

Subject: FW: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy and Michael,

AP is looking for a report, mentioned on EPA's site, about Superfund sites that might be impacted by storm surge.

This inquiry came in before Harvey but has taken on new importance. The information (attached) has already been made publicly available, in response to a FOIA request.

The original reporter deployed to Houston. Michael Biesecker is now the lead reporter, and he is pinging.

OK to send him the report, and spreadsheet of locations?

Thanks, Christie

From: StClair, Christie

Sent: Wednesday, August 23, 2017 11:12 AM

To: Valentine, Julia < Valentine. Julia@epa.gov >; Graham, Amy < graham.amy@epa.gov >

Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy,

Here are the attachments.

Christie

From: Valentine, Julia

Sent: Tuesday, August 22, 2017 5:21 PM **To:** Graham, Amy < graham.amy@epa.gov>

Cc: StClair, Christie < StClair. Christie@epa.gov>

Subject: Re: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy, attachment is also included on the "Open Inquiries" email I sent about an hour ago.

Julia P. Valentine Office of Media Relations 202.564.2663 Sent from USEPA iPhone

On Aug 22, 2017, at 5:18 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Please resend the attachment

From: StClair, Christie

Sent: Tuesday, August 22, 2017 5:11 PM

To: Press < Press@epa.gov>

Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Reporter is pinging. This info has already been shared publicly. OK to send it to him?

From: StClair, Christie

Sent: Tuesday, August 22, 2017 10:38 AM

To: Press < Press@epa.gov>

Subject: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Background: Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge. He's just starting his story research, and he is looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. The 2012 report, and accompanying spreadsheet of locations, was already made public in response to a FOIA request. Reporter: Jason Dearen, AP, idearen@ap.org.

Proposed response: Deliberative Process / Ex. 5

From: Dearen, Jason H. [mailto:JDearen@ap.org]

Sent: Thursday, August 17, 2017 1:26 PM

To: Press < Press@epa.gov>

Subject: Associated Press Request -- Superfund

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter

sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards, Jason Dearen/AP

<image002.jpg>

Jason Dearen -- Correspondent The Associated Press PO Box 5696 Gainesville, FL 32627 T 352.213.9949 Twitter: @JHDearen

Email: <u>idearen@ap.org</u>

www.ap.org

Want to send news tips, documents, etc. securely and confidentially to AP? https://securedrop.ap.org/

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Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]

Sent: 10/16/2017 4:16:57 PM

To: Sparacino, Jessica [sparacino.jessica@epa.gov]

Subject: RE: For Review: Open Inquiries for Review -- 10/16/17 -- MORNING

Fine here.

From: Sparacino, Jessica

Sent: Monday, October 16, 2017 11:36 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>; Jones, Enesta < Jones.Enesta@epa.gov>; Lynn, Tricia

<lynn.tricia@epa.gov>; Sorokin, Nicholas <sorokin.nicholas@epa.gov>; Sparacino, Jessica
<sparacino.jessica@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia

<Valentine.Julia@epa.gov>

Subject: For Review: Open Inquiries for Review -- 10/16/17 -- MORNING

Non-Hurricane Responses for Review:

- Freelancer, DEADLINE: 10/13 (J. Zuckerman), Re: Pasion River Fish Kill Investigation. Robert Daguillard.
- New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Hurricane Maria:

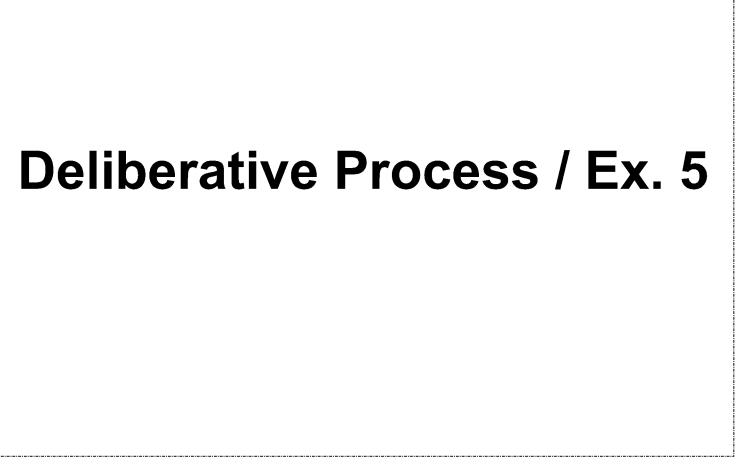
- AP (Michael Biesecker) Drinking water access. (9/26)
- The Atlantic (Lena Felton) Drinking water access. (10/12) (DDL: 10/12)
- BuzzFeed News (Grace Wyler) Viegues Naval Installation assessments. (10/15)
- E&E News (Niina Heikkinen) Interview with emergency response staff. (9/25)
- Inside Climate News (Philip McKenna) Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)
- Inside EPA (Anthony Lacey) Interview with Pete Lopez. (9/28)
- New York Public Radio (Daniel Lewis) Role in recovery and areas of particular concern in Puerto Rico. (10/2)
 (DDL: 10/2)
- Washington Examiner (John Siciliano) Response in Puerto Rico and Virgin Islands. (9/25)

Freelancer, DEADLINE: 10/13 (J. Zuckerman), Re: Pasion River Fish Kill Investigation. Robert Daguillard.

Background:

A subject matter expert from the Science and Ecosystems Division (R4) provided the response for this inquiry. OW, OCSPP, OECA and OITA declined input. The reporter is asking about studies on findings of malathion, an insecticide, in the Pasion river in Guatemala. Her inquiry is part of a book project on palm oil. Jocelyn Zuckerman – Freelancer – (b) (6) / Personal Privacy

Response:



Inquiry:

Thanks so much for getting back to me. I am working on a book about palm oil, including a chapter on Guatemala, and will likely do a magazine feature story as well. (I've written about palm oil for *Audubon*, *OnEarth*, *Vogue*, *NewYorker.com*, and *HuffPo*, among others.) I currently have a pitch in with the editors of *Mother Jones* but have not yet heard back. If I don't end up doing this piece for them I'll likely do for one of my other outlets. Happy to keep you posted on that front.

I was in Guatemala in late August and will probably head back down next month for some additional reporting. Really appreciate your help in trying to figure out these missing pieces from the report.

Thanks again and please let me know if there's any other information I can provide.

New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.

Background:

The reporter would like to visit the Ann Arbor emissions lab during the week of October 9 as part of a larger piece on rulemaking, reconsiderations and repeals at the agency – OAR is usually open to such visits. Margaret Talbot – the New Yorker – margarettalbot3@gmail.com

Response:

Deliberative Process / Ex. 5

Inquiry:

Dear Mr. Daguillard,

I do mean the NVFEL in Ann Arbor--sorry for the dropped F!

The piece is a larger piece on some of the proposed rules reconsiderations at EPA under the new administrator, and one of the areas I'm likely focusing on is the re-opening of the mid-term evaluation on clean car standards.

I'm interested in the lab's role in research and testing on emissions in cases like the VW cover-up, and frankly--I'm sure you will understand this from a journalistic point of view--looking to get out of Washington and see some of the important work done at the EPA's labs that readers can more easily visualize.

P.S. If it works out, I was hoping to be able to go there the week of October 9th.

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

Deliberative Process / Ex. 5

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)

- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

HURRICANE MARIA

AP (Michael Biesecker) – Drinking water access. (9/26)

AP is reporting on the ground in PR about the crisis with access to drinking water. Are there any EPA folks on the ground there yet they could talk to? If not, is there an ETA for when they will arrive?

The Atlantic (Lena Felton) – Drinking water access. (10/12) (DDL: 10/12)

My name is Lena Felton, and I'm on the Politics team at *The Atlantic*. I'm writing in regards to the <u>Reuters story</u> published last night, about the report the EPA issued warning residents not to drink from wells near toxic-waste sites. I am wondering if the EPA has any additional comment as we work on a story here at *The Atlantic*. You can email or call the number below, and I'd appreciate a response as soon as possible, as our deadline is EOD.

BuzzFeed News (Grace Wyler) - Vieques Naval Installation assessments. (10/15)

I hope all is well. Are there any updates to the EPA's progress in assessing the damage at the former Vieques Naval Installation Superfund site? What's the current status of the site? Has the EPA been able to do any assessments of the damage there?

E&E News (Niina Heikkinen) – Interview with emergency response staff. (9/25)

Is there any chance I'd be able to talk to some emergency response staff on the ground in Puerto Rico (or any who have recently returned)? I'm working on writing something about EPA's response to Hurricane Maria and would very much like a more personal perspective of what's going on there. If possible, I'd like to speak with someone today.

Inside Climate News (Philip McKenna) – Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)

Dear EPA press office,

I just wanted to follow up with you to see if there is an update on EPA assessments of Superfund sites and oil sites in Puerto Rico and US Virgin Islands following hurricane Maria.

Last I spoke with you Elias Rodriguez on Thursday he told me 3 sites in Puerto Rico had been assessed and found to be OK and he said he thought there would be a new update this past Saturday.

Could you please let me know what the latest update is on EPA assessments of Superfund sites and oil sites on Puerto Rico and the US Virgin Islands as soon as possible?

Inside EPA (Anthony Lacey) - Interview with Pete Lopez. (9/28)

Hello -- would it be possible to organize a quick telephone interview with Region 2 Administrator Pete Lopez to talk about his priorities for the agency? Happy to figure out a pre-approved question list beforehand and stick to that.

New York Public Radio (Daniel Lewis) – Role in recovery and areas of particular concern in Puerto Rico. (10/2) (DDL: 10/2)

I spoke with the incoming Region 2 Administrator earlier and have some follow-up questions regarding the EPA's response in Puerto Rico right now:

Does the agency have anyone currently on the ground, and if so, how many? What role is the agency currently playing in Puerto Rico's recovery right now? Are there any specific areas of the island that are of particular concern regarding issues from sewage, chemical plants, etc., and is there anything that the agency is currently doing to try and tackle that? Thanks for the help. My deadline is 4pm today, and I look forward to hearing from you.

Washington Examiner (John Siciliano) - Response in Puerto Rico and Virgin Islands. (9/25)

Can you explain the pause in Puerto Rico and V. Islands? Is it because its too hazardous?

Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]

Sent: 10/11/2017 8:02:27 PM

To: Sparacino, Jessica [sparacino.jessica@epa.gov]

Subject: RE: For review: Open Inquiries for Review -- 10/11/17 -- AFTERNOON

Great!

From: Sparacino, Jessica

Sent: Wednesday, October 11, 2017 4:01 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>; Jones, Enesta < Jones.Enesta@epa.gov>; Lynn, Tricia

<lynn.tricia@epa.gov>; Sorokin, Nicholas <sorokin.nicholas@epa.gov>; Sparacino, Jessica
<sparacino.jessica@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia

<Valentine.Julia@epa.gov>

Subject: For review: Open Inquiries for Review -- 10/11/17 -- AFTERNOON

Non-Hurricane Responses for Review:

- CNBC, DEADLINE: ASAP (Jeff Daniels), Re: Nuclear detonation. Christie StClair.
- VICE News, DEADLINE: 10/12 (Alex Lubben), Re: ECHO updates, reducing lead in drinking water efforts. Enesta Jones.
- The Scientist, DEADLINE: 10/11 (Abby Olena), Re: Genetically engineered mosquitoes. Robert Daguillard.
- Fox News, DEADLINE: 10/11 (George Russell) Re: Privilege user cards. Enesta Jones.
- Health.com, DEADLINE 10/11 (Maria Masters) Re: Indoor Mold Follow-Up. Tricia Lynn.
- Politico, DEADLINE: 10/11 (Derek Robertson), Re: Women in law enforcement. Enesta Jones.
- New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Hurricane Harvey:

- ABC News-Washington (Stephanie Ebbs) Update on Valero benzene leak. (9/14)
- AFP (Delphine Touitou) Confirmation on letter and inquiry into Arkema plant. (9/12)
- AP (Frank Bajak) Environmental testing at Houston spill sites. (9/22)
- Argus Media (Chris Knight) Clarification re: emergency fuel waivers. (9/7)
- Argus (Chris Knight) Waiver data. (9/21) (DDL: 9/21)
- Bloomberg (Meenal Vamburkar) Valero leak. (9/15)
- <u>BNA (Sylvia Carignan)</u> Post-hurricane Superfund site summaries. (9/15)
- BNA (Sam Pearson) Administrator Pruitt's remarks on Arkema. (9/12)
- BNA (Adam Allington) Retail facility cleanup and RCRA guidelines. (9/7)
- <u>CO (Jackie Toth)</u> Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)
- <u>E&E News (Corbin Hiar)</u> Seeking copy of 9/7 letter to Arkema. (9/12)
- <u>E&E News (Corbin Hiar)</u> Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)
- <u>E&E News (Corbin Hiar)</u> Rep. Green letter on exposure risk from Superfund spill. (9/27) (DDL: 9/27)
- Fox News (Maggie Kerkman) Amount of debris.
- Houston Chronicle (Matt Dempsey) Arkema release from Friday. (9/18)
- Houston Public Media (Travis Bubenik) Arkema response to EPA letter. (9/19)
- Moody's Investor Service (Roy Ousley) Seeking names of affected water systems. (9/12)
- San Antonio Express-News (Rye Druzin) Valero plant and RINs. (9/14)
- Univision 45 Houston (Jessica Rivera) Benzene and Valero plant. (9/14)
- Vice (Alex Lubben) U.S. Oil Recovery. (9/19)

Hurricane Irma:

- 2U (John Rehm) Access to clean drinking water in Texas and Florida. (9/14)
- Al Jazeera (Elizabeth Gorman Shaw) Interview: Hurricane cleanup and recovery. (9/21)
- Associated Press (Matthew Brown) Non-Superfund chemical/petrochemical storage sites. (9/8)
- Associated Press (Michael Biesecker) Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)
- Associated Press (John Flesher) CWA storm water discharge permits. (9/13)
- <u>CQ (Elvina Nawaguna) Hurricanes and climate change strategy.</u> (9/11)
- <u>E&E News (Niina Heikkinen)</u> Emergency response, Administrator Pruitt, and funding. (9/7)
- <u>E&E News (Niina Heikkinen)</u> Emergency preparedness and climate change. (9/14)
- WIRED (Eric Niller) Hurricane debris disposal. (9/14)

Hurricane Maria:

- AP (Michael Biesecker) Drinking water access. (9/26)
- <u>E&E News (Niina Heikkinen)</u> Interview with emergency response staff. (9/25)
- <u>Inside Climate News (Philip McKenna</u>) Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)
- Inside EPA (Anthony Lacey) Interview with Pete Lopez. (9/28)
- New York Public Radio (Daniel Lewis) Role in recovery and areas of particular concern in Puerto Rico. (10/2)
 (DDL: 10/2)
- Washington Examiner (John Siciliano) Response in Puerto Rico and Virgin Islands. (9/25)
- <u>Vox (Umair Irfan)</u> Agency role in recovery effort and reconstruction. (9/28) (DDL: 9/28)

CNBC, DEADLINE: ASAP (Jeff Daniels), Re: Nuclear detonation. Christie StClair.

Background:

CNBC is doing a piece on the threat of N. Korea test-firing an H-bomb over the Pacific. They're asking about Fukushima's impact, as well as the environmental impact of 1950s and 1960s nuclear testing. His deadline is end of today. Reporter: Jeff Daniels, CNBC, jeff.daniels@nbcuni.com

Proposed response:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Inquiry:

We wanted to know if EPA's Radnet that measures radiation has a report on the U.S. West Coast impacts from the Japanese nuclear plant disaster in 2011.

Also, has the U.S. studied what impact 1950 and 1960s nuclear bomb test explosions had on the waters or air? Our story is tied to the threat of Korea test-firing an H-bomb over the Pacific.

Thank you.

VICE News, DEADLINE: 10/12 (Alex Lubben), Re: ECHO updates, reducing lead in drinking water efforts. *Enesta Jones*.

Background:

VICE News reporter is asking for recent drinking water stats in ECHO, and our accomplishments for getting lead out of drinking water. Publicly available information. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Response input from OECA and OW. Alex

Lubben, (b) (6) / Personal Privacy

Suggested Response:

Can you confirm that those stats have been updated for the 3rd quarter?

Deliberative Process / Ex. 5

And can you list the EPA's accomplishments on getting lead out of drinking water so far this year? Is there any significant water infrastructure work planned? Is a revision to the Lead and Copper Rule in the works?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Inquiry:

Hi Liz,

I'm Alex Lubben, a reporter with VICE News. I'm working on a story about the EPA's lead and drinking water programs, and noticed that the ECHO site notes that its drinking water stats are updated quarterly. Can you confirm that those stats have been updated for the 3rd quarter?

And can you list the EPA's accomplishments on getting lead out of drinking water so far this year? Is there any significant water infrastructure work planned? Is a revision to the Lead and Copper Rule in the works?

The Scientist, DEADLINE: 10/11 (Abby Olena), Re: Genetically engineered mosquitoes. Robert Daguillard.

BACKGROUND

The reporter's inquiry follows the transfer of responsibility for genetically engineered OXITEC mosquitoes from FDA to EPA. The move, announced last week, follows the new classification of OXITEC mosquitoes as a pesticide. Abby Olena – The Scientist – (b) (6) / Personal Privacy

RESPONSE

1. Does the EPA have a plan in place for regulating the use of the genetically engineered (Oxitec) mosquitoes?

Deliberative Process / Ex. 5

Background:

More specifically, FIFRA generally requires that, before a pesticide may be sold or distributed in commerce, it must be registered (licensed) based on sufficient scientific data for EPA to conclude that the use of the pesticide will not cause unreasonable adverse effects on people or the environment. FIFRA also gives EPA the authority to issue experimental use permits to allow the testing of a pesticide in the environment for the purpose of generating data to support the registration of the pesticide, and to control the distribution and use of a pesticide post-registration and to monitor its production.

2. Is there still an approval process that needs to take place since the FDA handed oversight over to EPA?

Deliberative Process / Ex. 5

3. If so, what is the timeline and basic structure of that sort of process?

Deliberative Process / Ex. 5

Background:

FIFRA establishes a statutory framework creating timelines within which EPA must make a determination on an application. The timelines applied depends on the type of application submitted by the company.

At this point, EPA has not received an application from Oxitec. However, in general under FIFRA, an applicant typically applies first for an Experimental Use Permit (EUP) to generate the data necessary to support the registration. Should Oxitec request an EUP, once a complete EUP application has been submitted, the agency would have 7 months to reach a decision. After sufficient data have been collected in field testing (this may take from a few months to several years depending on the types of data to be generated), the applicant typically then applies for a registration under FIFRA. Once a registration application is received, the agency has 13-25 months to complete its review, depending on the nature of application. The 25-month estimate provides for input from nationally recognized technical experts via the EPA's FIFRA Scientific Advisory Panel when the Agency deems such input appropriate.

4. Will the EPA be looking to other countries in which the Oxitec mosquitoes have already been used for guidance in evaluating the mosquitoes' approval?

Deliberative Process / Ex. 5

5. Are there other examples of the release of living insects or other kinds of animals that EPA has overseen?

Deliberative Process / Ex. 5

Inquiry:

Hello EPA Press team,

I spoke with Robert Daguillard yesterday afternoon about a story I'm writing for <u>The Scientist</u> about the oversight of Oxitec mosquitoes shifting to the EPA. I hadn't heard from him, and I think he mentioned he was out today, so I wanted to try this avenue as well.

I've included some questions below my signature. If someone can help me find answers, that would be great. My story will be a short one (500 or words) headed for the Daily News section. Deadline is Monday at 5 pm ET.

Fox News, DEADLINE: 10/11 (George Russell) Re: Privilege user cards. Enesta Jones.

Background:

| User Cards (PUCs) who have privilege access to EPA systems. Response input from OEI, with OARM concurrence. George Russell, <u>George Russell@FOXNEWS.COM</u> |
|---|
| Suggested Response: |
| Deliberative Process / Ex. 5 |
| Inquiry: |
| Dear Ernesta, |
| On review of your replies, I realized there was one question I neglected to ask. The management alert says: |
| The PSB provided us with a list of contractor personnel identified as PUC holders from the Office Administrative Services Information System. The PSB could not provide us with a list of personnel without |

Fox News reporter who refers to me as Ernesto has returned, asking for a list of personnel without Privilege

PUCs who have privilege access to EPA systems.

what percentage now have had the appropriate background checks?

Does the EPA now have such a list, and if so, how many people are on it? If the list exists, can you also tell us

Apologies again for failing to ask the first time around. Would it be possible to have the answer by close of business Wednesday?

Health.com, DEADLINE 10/11 (Maria Masters) Re: Indoor Mold Follow-Up. Tricia Lynn.

Reporter is asking for a name for attribution. Laureen Burton, Staff Chemist/Toxicologist provided the information, and OAR is suggesting her. Does that work or do you have some other preference?

Politico, DEADLINE: 10/11 (Derek Robertson), Re: Women in law enforcement. Enesta Jones

Background:

POLITICO reporter is asking for the number of senior level women in law enforcement at the agency. OARM did a data pull. Derek Robertson, <u>drobertson@politico.com</u>

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Hi, my name is Derek Robertson and I'm a reporter with POLITICO – we're working on a story about women in law enforcement and I was hoping to learn what percentage of full-time sworn officers in the EPA's employ are women. My deadline for this is mid-October. You can reach me at any time here at this e-mail address or at 810-444-6131 with any questions, thanks so much, and have a great day.

Hi, thanks so much. If it's at all possible, it would also be immensely helpful to know what percentage of women in EPA's law enforcement are GS-15 or Senior Executive Service level – we're trying to include a component in the story about women in leadership roles. Thanks again, and have a great afternoon.

New Yorker, DEADLINE: Early October (Margaret Talbot), Re: Ann Arbor lab. Robert Daguillard.

Background:

The reporter would like to visit the Ann Arbor emissions lab during the week of October 9 as part of a larger piece on rulemaking, reconsiderations and repeals at the agency – OAR is usually open to such visits. Margaret Talbot – the New Yorker – (b) (6) / Personal Privacy

Response:

Deliberative Process / Ex. 5

Inquiry:

Dear Mr. Daguillard,

I do mean the NVFEL in Ann Arbor--sorry for the dropped F!

The piece is a larger piece on some of the proposed rules reconsiderations at EPA under the new administrator, and one of the areas I'm likely focusing on is the re-opening of the mid-term evaluation on clean car standards. I'm interested in the lab's role in research and testing on emissions in cases like the VW cover-up, and frankly--I'm sure you will understand this from a journalistic point of view--looking to get out of Washington and see some of the important work done at the EPA's labs that readers can more easily visualize.

P.S. If it works out, I was hoping to be able to go there the week of October 9th.

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

Deliberative Process / Ex. 5

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?

| 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic? |
|---|
| Thanks for your time and attention. |
| |
| |
| |
| HURRICANE REQUESTS |
| HURRICANE HARVEY |
| ABC News-Washington (Stephanie Ebbs) – Update on Valero benzene leak. (9/14) Was there any new information about the Valero benzene leak out today? I'm seeing references to new information from EPA but I didn't see a release or anything |
| AFP (Delphine Touitou) – Confirmation on letter and inquiry into Arkema plant. (9/12) My collegue Douglas Gillison contacted you a couple of hours ago to try to confirm the information published in some US media saying the Environmental Protection Agency has opened an inquiry into whether the Arkema chemical plant in Crosby, Texas followed federal safety rules to protect against hazards, following explosions at the facility that resulted from Hurricane Harvey flooding. Could you confirm this information please? The medias also mentionned a letter sent to Arkema on September 7th urging Arkema to reply in 10 days. Could you also |
| confirm this point please? It is very urgent. |
| AP (Frank Bajak) – Environmental testing at Houston spill sites. (9/22) |
| I'm interested in getting a rundown on where EPA is collecting air, water and soil samples related to actual or suspected Harvey-related petrochemical spills and releases in 1) the Houston metropolitan area 2) other parts of Texas. |
| I'd appreciate if someone could talk me through this. I know there is Arkema, the Valero refinery and Superfund sites and would like to know the nature and extent of sampling. I'm curious also about various spills reported to the Coast Guard's NRC. |
| Argus Media (Chris Knight) - Clarification re: emergency fuel waivers. (9/7) I'm just trying to understand the difference here. Is the main thing that EPA extended the deadlines of the RFG through September 26? |

Argus (Chris Knight) - Waiver data. (9/21) (DDL: 9/21)

EPA press, I'm doing a story about the expiration in the coming week or so of fuel waivers and other waivers from EPA, Homeland Security, highway operating hours, etc., along with the benefits the waivers provided to areas hit by Irma/Harvey/Maria.

Questions:

- Does EPA plan to extend further any of its fuel waivers or enforcement discretion notices?
- Has EPA collected data/information it can share on use of its waivers? I'm trying to sum up what benefits the waivers have provided to those hit by the storms but haven't seen any type of government data on this (E.g., retailers were able to sell XX million barrels that were otherwise unavailable)

Deadline is 3:30 p.m. today.

Bloomberg (Meenal Vamburkar) – Valero leak. (9/15)

I'm following up on the Valero benzene/chemical leak after the hurricane. It's been reported that the leak was bigger than originally estimated and that Valero will be putting out a revised report. Is there a time-frame in which we can expect the revised numbers from the company -- or any other EPA update on the investigation?

BNA (Sylvia Carignan) - Post-hurricane Superfund site summaries. (9/15)

A question about this line from the press release:

"Post-hurricane Superfund site summaries based on preliminary data results are being released."

Where are these summaries available?

BNA (Sam Pearson) – Administrator Pruitt's remarks on Arkema. (9/12)

Do you have a copy of the Section 114 letter sent to Arkema?

If the letter is being shared with the Washington Examiner, does that mean that EPA will release the letter? Not understanding the rationale for only releasing it selectively.

Also, can anyone explain Administrator Pruitt's comment that "The concern about some of those risk management plans is the data in those RMPs are actually intelligence or information our adversaries — terrorists — can use to attack soft targets across this country. So we [have to] make sure those RMPs are done the right way to assure we are not equipping our adversaries."

Under existing RMP regulations, Arkema already disclosed it kept as much as 66,260 pounds of sulfur dioxide and 86,000 pounds of 2-Methylpropene on site.

From my reading of the final rule that Administrator Pruitt delayed, the main additional requirements would have been:

- required companies to tell the public, if asked, that the information is available, and the companies would track who requested the information.
- Companies would be required to share the names of regulated substances used in a process at the plant
- The substances' safety data sheets
- the plant's five-year accident history (this is already listed on existing RMPs, they just have to be obtained from EPA rather than the plant)

- a list of scheduled emergency response exercises the plant has conducted (not the content of the exercises or what vulnerabilities they were concerned about or specific things of that nature)
- contact information for the Local Emergency Planning Committee responsible for the plant (again this information could already be obtained through basic research but in theory would be faster this way)

How does any of this = detailed information about all chemicals that are there? How specifically would a terrorist exploit this process to obtain "intelligence" to "attack soft targets across this country"?

BNA (Adam Allington) - Retail facility cleanup and RCRA guidelines. (9/7)

Adam Allington from Bloomberg BNA here.

I'm working on a story about cleanup of retail facilities after Hurricane Harvey. Places that sell products which fall under the guidance of hazardous waste, when thrown away...paints, aerosol cans, perfumes, medicine, etc.

I was wondering if EPA has issued any for temporary relaxation of RCRA guidelines as a response to disaster declarations? If you could let me know on this one particular point I would be very grateful

CQ (Jackie Toth) – Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)

Can I get a copy of the letter Admin. Pruitt sent to Arkema with concerns over whether it had followed its Risk Management Plan and the Sept. 7 request for information to the company?

E&E News (Corbin Hiar) - Seeking copy of 9/7 letter to Arkema. (9/12)

Can EPA please provide a copy of the Sept. 7 letter to Arkema asking for information related to its Crosby, Texas, plant explosion? I plan to file a story about this by 11 a.m. this morning.

E&E News (Corbin Hiar) - Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)

I'm planning to file a story on Friday about Superfund sites and climate change, so I want to give EPA the opportunity to weigh in on it.

The story notes that the flooding and potential contaminant leaks at the San Jacinto Waste Pits site closely to matches a scenario described in the Office of Solid Waste and Emergency Response's Climate Change Adaptation Implementation Plan. While that report is still listed on EPA's Superfund Climate Change Adaptation page, the link to it leads to a page that is being updated to reflect EPA's new priorities.

To what extent, if at all, does EPA think the flooding that occurred at Superfund sites in the wake of Hurricane Harvey is related to climate change? How much, if at all, would the OSWER climate adaptation plan have helped the agency better prepare for Harvey's impacts? How much, if at all, would regulators, responsible parties and affected communities benefit from having access to the OSWER climate plan?

Also, were any Superfund sites in Florida damaged by Hurricane Irma? If so, which ones and to what extent were they damaged?

Please let me know if you have any questions about the story. And thanks for any feedback you can provide by EOD tomorrow.

E&E News (Corbin Hiar) - Rep. Green letter on exposure risk from Superfund spill. (9/27) (DDL: 9/27)

I plan to write about this for tomorrow morning's Daily. Please let me know by EOD if EPA wants to weigh in. [Attached: Rep Green Letter Requests for Answers from EPA Secretary Pruitt on Exposure Risk from Harvey Superfund Spill.]

Fox News (Maggie Kerkman) – Amount of debris. (9/26)

Would you happen to have anyone in the Dallas area who could talk about just the enormous amount of debris that needs to be removed in the wake of Harvey? We're trying to do a follow up story on the storm and looking for an expert who could give us a sense of how vast this job is.

Houston Chronicle (Matt Dempsey) – Arkema release from Friday. (9/18)

I still have a number of questions. Would prefer an interview but if that's not possible... here's the questions:

Why only one day of water samples?

Was any soil testing done?

Was any air testing done for phenol?

Did the EPA do air modeling and if so for what chemicals and what were the results?

When ASPECT was used, what time of day was the craft run? Why test for only the half mile around the plant?

Was any air monitoring done outside of the half mile around the plant? What about outside the evacuation zone?

Can I get any email communications between the EPA and Arkema from Aug. 25 through Sept. 5?

Houston Public Media (Travis Bubenik) – Arkema response to EPA letter. (9/19)

Morning, has Arkema responded to <u>this information request</u> yet? (Not sure if the 10 days requirement counts weekends or just business days...)

Moody's Investor Service (Roy Ousley) - Seeking names of affected water systems. (9/12)

I read the statement regarding status of water systems in the area affected by Harvey, and wanted to know if it was possible for you to provide me with the names of the water systems that have been affected. Particularly the 50 drinking systems that are shut down.

San Antonio Express-News (Rye Druzin) – Valero plant and RINs. (9/14)

Joe Gorder, the CEO of Valero Energy Corp., the largest U.S. refiner, said that the \$800 million to \$1 billion that Valero is paying for RINs costs do not go to the government, but rather brokers (the people who buy fuel from Valero, blend it and get the RINs credit) who resell the RINs to Valero.

This is a direct quote from Mr. Gorder, from a talk today:

"We sell it at the refinery, it goes through a pipe, it gets out here. Ethanol gets blended into it. That person that blends it captures the credit, which identifies that the ethanol has been blended. He doesn't need it, he doesn't have an obligation. I'm back here, I've produced the fuel, I do need the credit, he hangs onto them until I cry uncle and then he sells them to me at an inflated price and I get them to the government to show compliance. That is \$800 million to \$1 billion that's not being paid to the government; it's being paid to individual companies out there that are capturing these credits, brokers who are between us and you. What this means is you're paying 8 to 10 cents a gallon more than you need to for your fuel because of this policy."

I would like to know if Mr. Gorder's characterizations are correct, and I need a response ASAP, no later than 6 p.m. Central Time (7 p.m. ET).

I would prefer an emailed response because it will be easier to put into the story. Thank you.

Univision 45 Houston (Jessica Rivera) – Benzene and Valero plant. (9/14)

Univision 45 in Houston, Texas is requesting information on a Houston Chronicle report that Valero Energy "significantly underestimated" the amount of cancer-causing benzene and other volatile compounds leaked from its Houston refinery during Hurricane Harvey's torrential rains, the U.S. Environmental Protection Agency said Thursday.

Do you have any information?

Or, could you provide us with the EPA media contact for Texas?

I searched on the website for the Texas contact and the information would not pop up when I scrolled over the media map.

Vice (Alex Lubben) - U.S. Oil Recovery. (9/19)

Hi Jahan

Has the EPA conducted any sort of clean up operation post-Harvey at the U.S. Oil Recovery Superfund site since the Harvey floodwaters receded?

HURRICANE IRMA

Al Jazeera (Elizabeth Gorman Shaw) - Hurricane cleanup and recovery.

I'm a journalist for "Fault Lines" at Al Jazeera English. I'm interested in making an interview request for a story I'm working on about Hurricane cleanup and recovery.

Associated Press (Matthew Brown) – Non-Superfund chemical/petrochemical storage sites. (9/8)

Greetings-

As part of the EPA's preparations for Irma, can you please tell me if the agency is also trying to assess safety of chemical/petrochemical storage sites that are NOT on the Superfund list?

I'm also following up on earlier questions (repeated below) regarding Harvey-related spills from petrochemical storage tanks.

HARVEY OUESTIONS:

- -has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?
- -has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?
- -are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?
- -Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?
- -can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)
- -broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Associated Press (Michael Biesecker) - Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)

My understanding is that EPA Region 4 has prepared a vulnerability assessment of Florida Superfund sites potentially at risk from Irma that lists Homestead Air Force base, Airco Plating and Cabot Copper as being potentially vulnerable to flooding.

Could you please provide a copy of the assessment? Also, we would be interesting in reporting details of what preparations and monitoring is taking place at those sites as storm progresses.

Would you have time to talk to me or my colleague Jason, copied on this email, later today?

Associated Press (John Flesher) - CWA stormwater discharge permits. (9/13)

I'm putting together a story for AP today on sewage overflows in Florida resulting from Hurricane Irma and have a few questions about EPA's announcement regarding Clean Water Act stormwater discharge permits:

- -Does this mean that permit holders will be allowed to discharge untreated or partially treated sewage into waters in ways that ordinarily are impermissible under the Clean Water Act?
- -If so, for how long will this waiver be in place?
- -What other kinds of exceptions to normal permit requirements would these "upset" or "bypass provisions allow?
- -How often are such waivers granted? Is it done routinely during hurricanes, or is does this represent a new policy for EPA? Aside from hurricanes, under what other circumstances would justify such waivers?

CQ (Elvina Nawaguna) - Hurricanes and climate change strategy. (9/11)

I'm working on a story about whether Hurricanes Harvey, Irma, Jose can change the conversation about climate change especially among GOP lawmakers who have rejected climate science. Would like to talk with/ get a response from Administrator Pruitt's office on what role climate change may have played in the unusually huge storms and whether the EPA is considering taking stronger action to mitigate climate change. Scientists have said while climate change did not directly cause the storms, it certainly made the flooding worse and project more extreme weather events What strategy does the EPA have going forward?

E&E News (Niina Heikkinen) - Emergency response, Administrator Pruitt, and funding. (9/7)

I'm writing something for tomorrow about what Administrator Pruitt and the agency is doing ahead of Irma. Does EPA have the funding it needs to do two (and potentially three) back to back emergency responses? Will Pruitt be making any TV appearances in the coming days to talk about the storm response?

I'm also interested in what sort of work is happening in Puerto Rico and the Virgin Islands, which haven't gotten as much media attention. Does Administrator Pruitt plan to visit Florida?

E&E News (Niina Heikkinen) - Emergency preparedness and climate change. (9/14)

I'm working on an article for tomorrow about how climate change is being incorporated in emergency response and preparedness efforts.

First, are your staff still using resources such as the National Climate Assessment in planning for future storms like Harvey and Irma?

Are emergency management staff examining different scenarios including sea level rise, precipitation rates, or wildfire frequency that could impact facilities under EPA's jurisdiction?

If you are able to connect me with anyone working in emergency management this afternoon, I'd very much appreciate it.

WIRED (Eric Niiler) – Hurricane debris disposal. (9/14)

I'm a Washington-based contributing writer for WIRED and am putting together a story for Friday (tomorrow) on debris removal after Hurricanes Harvey and Irma. I'd like to either connect with someone by phone, or have a few questions answered in writing:

-Have state environmental officials in Texas or Florida asked for waivers for EPA disposal rules that would allow mixed solid/hazardous waste into construction and demolition landfills? -If so, has the EPA granted any waivers yet?

-Has the Office of Land and Emergency Management (OLEM) addressed concerns raised by a 2016 Office of Inspector General's report on disaster debris:

https://www.epa.gov/sites/production/files/2016-06/documents/20160629-16-p-0219.pdf

- , specifically have they collected information from state agencies about planning for disposal after storms?
- -Does OLEM have post-disaster debris disposal plans from state officials for the relevant regions of Texas and Florida?
- -Has EPA and OLEM incorporated the effects of climate change into post-disaster debris planning as noted by the OIG report (pp. 3-4) and the 2014 EPA Climate Change Adaptation Plan?
- -Anything else that EPA would like to add about its role in debris disposal in Texas and Florida?

2U (John Rehm) – Access to clean drinking water in Texas and Florida. (9/14)

I was wondering if you had any data or information on how many people are without access to clean drinking water in both Texas and Florida.

HURRICANE MARIA

AP (Michael Biesecker) - Drinking water access. (9/26)

AP is reporting on the ground in PR about the crisis with access to drinking water. Are there any EPA folks on the ground there yet they could talk to? If not, is there an ETA for when they will arrive?

E&E News (Niina Heikkinen) - Interview with emergency response staff. (9/25)

Is there any chance I'd be able to talk to some emergency response staff on the ground in Puerto Rico (or any who have recently returned)? I'm working on writing something about EPA's response to Hurricane Maria and would very much like a more personal perspective of what's going on there. If possible, I'd like to speak with someone today.

Inside Climate News (Philip McKenna) – Update on Superfund and oil site assessments in PR/USVI. (10/2) (DDL: ASAP)

Dear EPA press office,

I just wanted to follow up with you to see if there is an update on EPA assessments of Superfund sites and oil sites in Puerto Rico and US Virgin Islands following hurricane Maria.

Last I spoke with you Elias Rodriguez on Thursday he told me 3 sites in Puerto Rico had been assessed and found to be OK and he said he thought there would be a new update this past Saturday.

Could you please let me know what the latest update is on EPA assessments of Superfund sites and oil sites on Puerto Rico and the US Virgin Islands as soon as possible?

Inside EPA (Anthony Lacey) – Interview with Pete Lopez. (9/28)

Hello -- would it be possible to organize a quick telephone interview with Region 2 Administrator Pete Lopez to talk about his priorities for the agency? Happy to figure out a pre-approved question list beforehand and stick to that.

New York Public Radio (Daniel Lewis) – Role in recovery and areas of particular concern in Puerto Rico. (10/2) (DDL: 10/2)

I spoke with the incoming Region 2 Administrator earlier and have some follow-up questions regarding the EPA's response in Puerto Rico right now:

Does the agency have anyone currently on the ground, and if so, how many? What role is the agency currently playing in Puerto Rico's recovery right now? Are there any specific areas of the island that are of particular concern regarding issues from sewage, chemical plants, etc., and is there anything that the agency is currently doing to try and tackle that? Thanks for the help. My deadline is 4pm today, and I look forward to hearing from you.

Washington Examiner (John Siciliano) – Response in Puerto Rico and Virgin Islands. (9/25)

Can you explain the pause in Puerto Rico and V. Islands? Is it because its too hazardous?

Vox (Umair Irfan) – Agency role in recovery effort and reconstruction. (9/28) (DDL: 9/28) ⊢i,

I am a reporter at Vox and I am looking into relief efforts in Puerto Rico. I wanted to see if someone at EPA could comment on the environmental concerns in Puerto Rico after the hurricane, particularly with respect to energy infrastructure.

I wanted to see if someone at EPA could comment on the agency's role in the recovery effort, some of the environmental concerns in the reconstruction and what EPA can do to help Puerto Rico prepare for the next disaster.

Also, I saw that Pete Lopez was appointed to lead Region 2, so I was hoping I could speak with him about his take on the role and his strategy for Puerto Rico's recovery.

I anticipate filing by 5 p.m. EST today.

Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]

Sent: 9/8/2017 3:32:31 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: AP (DDL COB): Storm surge & Superfund

Just forwarded it to you, Nancy.

From: Grantham, Nancy

Sent: Friday, September 08, 2017 11:29 AM

To: StClair, Christie <StClair.Christie@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Can you send me what was previously sent to AP on this request? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: StClair, Christie

Sent: Friday, September 08, 2017 10:28 AM **To:** Taylor, Trish Taylor.Trish@epa.gov

Cc: Colip, Matthew <colip.matthew@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Thanks, Trish. This inquiry from Michael Biesecker is now being handled by the Hurricane Harvey team. I'm looping Nancy here so she can handle.

Nancy – the reporter needed clarification of the key for the data we previously sent him. Proposed response below is straightforward.

From: Taylor, Trish

Sent: Friday, September 08, 2017 10:21 AM
To: StClair, Christie < StClair. Christie@epa.gov >
Cc: Colip, Matthew < colip.matthew@epa.gov >
Subject: FW: AP (DDL COB): Storm surge & Superfund

Hi Christie,

Here is the reply to for the follow-up question regarding the key. I tweaked it a bit from what the program provided.

Deliberative Process / Ex. 5

Once you get back to the report, could you send what you sent back to me, so I can forward that to the program for their files?

Thanks so much, Trish

From: Siedschlag, Gregory

Sent: Friday, September 08, 2017 10:02 AM **To:** Taylor, Trish < <u>Taylor, Trish@epa.gov</u>>

Cc: Klinger, Adam < Klinger. Adam@epa.gov >; Colip, Matthew < colip.matthew@epa.gov >

Subject: RE: AP (DDL COB): Storm surge & Superfund

Hi Trish,

Here is our response:

Deliberative Process / Ex. 5

Greg Siedschlag

Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency

Office: (703) 603-9044

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From: Taylor, Trish

Sent: Wednesday, September 06, 2017 10:46 AM **To:** Siedschlag, Gregory < Siedschlag, Gregory@epa.gov > Subject: FW: AP (DDL COB): Storm surge & Superfund

Just following up on this one.

From: StClair, Christie

Sent: Thursday, August 31, 2017 4:54 PM
To: Siedschlag, Gregory; OLEM OSRTI Press
Cc: Taylor, Trish; Colip, Matthew; Klinger, Adam
Subject: RE: AP (DDL COB): Storm surge & Superfund

Okay, I'll let them know.

From: Siedschlag, Gregory

Sent: Thursday, August 31, 2017 4:53 PM

To: StClair, Christie <<u>StClair.Christie@epa.gov</u>>; OLEM OSRTI Press <<u>OLEM-OSRTI-Press@epa.gov</u>> **Cc:** Taylor, Trish <<u>Taylor.Trish@epa.gov</u>>; Colip, Matthew <colip.matthew@epa.gov>; Klinger, Adam

<Klinger.Adam@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Hi Christie,

We'll need until Tuesday. The person who would know is out of the office until then.

Greg Siedschlag

Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation

U.S. Environmental Protection Agency

Office: (703) 603-9044

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From: StClair, Christie

Sent: Thursday, August 31, 2017 12:27 PM

To: Siedschlag, Gregory <<u>Siedschlag, Gregory@epa.gov</u>>; OLEM OSRTI Press <<u>OLEM-OSRTI-Press@epa.gov</u>>

Cc: Taylor, Trish < Taylor. Trish@epa.gov>; Colip, Matthew < colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Greg,

I got OPS approval to send this info to the AP last night. This morning I got a follow up note from the reporter.

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks! Christie

From: Siedschlag, Gregory

Sent: Friday, August 18, 2017 1:10 PM

To: StClair, Christie <StClair.Christie@epa.gov>; OLEM OSRTI Press <OLEM-OSRTI-Press@epa.gov>

Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Our SMEs are out today. Can we extend this to Monday?

Greg Siedschlag

Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency

Office: (703) 603-9044

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From: StClair, Christie

Sent: Friday, August 18, 2017 11:28 AM

To: OLEM OSRTI Press < OLEM-OSRTI-Press@epa.gov>

Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Delooping ORCR – just an error from sending while literally on phone with reporter.

From: Harman, Greta

Sent: Friday, August 18, 2017 11:19 AM

To: StClair, Christie <StClair.Christie@epa.gov>; ORCR Press <ORCR Press@epa.gov>; OLEM OSRTI Press <OLEM-OSRTI-

Press@epa.gov>

Cc: Taylor, Trish < Taylor. Trish@epa.gov>; Colip, Matthew < colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Adding OSRTI.

Greta Harman U.S. Environmental Protection Agency Office of Resource Conservation and Recovery (703) 308-8461

From: StClair, Christie

Sent: Friday, August 18, 2017 11:17 AM
To: ORCR Press < ORCR Press@epa.gov>

Cc: Taylor, Trish Taylor.Trish@epa.gov>; Colip, Matthew colip.matthew@epa.gov>

Subject: AP (DDL COB): Storm surge & Superfund

Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge.

He's looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Can we get him the technical document?

Deadline COB today if possible, but next week is okay too.

Christie

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]

Sent: 9/5/2017 7:46:15 PM

To: Sparacino, Jessica [sparacino.jessica@epa.gov]
Subject: RE: Open Inquiries for Review -- 9/5/17

By the way - Great work on this!!! I know it was a biggie!

From: Sparacino, Jessica

Sent: Tuesday, September 05, 2017 3:42 PM

To: StClair, Christie < StClair. Christie@epa.gov>; AO OPA Media Relations

<AO OPA Media Relations@epa.gov>

Subject: RE: Open Inquiries for Review -- 9/5/17

Thank you, Christie.

From: StClair, Christie

Sent: Tuesday, September 5, 2017 3:39 PM

To: Sparacino, Jessica <<u>sparacino jessica@epa.gov</u>>; AO OPA Media Relations

<a href="mailto: AO OPA Media Relations@epa.gov

Subject: RE: Open Inquiries for Review -- 9/5/17

Update: BNA top 10 Superfund sites is now closed.

From: StClair, Christie

Sent: Tuesday, September 05, 2017 3:37 PM

To: Sparacino, Jessica <<u>sparacino jessica@epa.gov</u>>; AO OPA Media Relations

<AO OPA Media Relations@epa.gov>

Subject: RE: Open Inquiries for Review -- 9/5/17

Good here!

From: Sparacino, Jessica

Sent: Tuesday, September 05, 2017 3:04 PM

To: AO OPA Media Relations <AO OPA Media Relations@epa.gov>

Subject: Open Inquiries for Review -- 9/5/17

Hello, this is what I have for today's Open Inquiries. Does this check out for you all?

- BNA, DEADLINE: 9/5 (Sylvia Carignan), Re: Superfund top 10. Christie StClair.
- Argus, DEADLINE: 9/5 (Laura Mojonnier), Re: Decision on effluent limitations data lawsuit. Robert Daquillard.
- Chemical Watch, DEADLINE: 9/4 (Julie Miller), Re: Pending section 6 rules. Robert Daguillard.
- Reuters, DEADLINE: 9/1 (Emily Flitter), Re: EPA dicamba options. Robert Daguillard.
- Fruit Grower News, DEADLINE: 9/1 (Dave Weinstock), Re: Pesticide impact on bees. Robert Daguillard.
- HybridCars.com, DEADLINE: 8/29 (Jeff Cobb), Re: Mid-term evaluation timeline. Robert Daquillard for Christie.
- Longview (WA) Daily News, DEADLINE: 8/24 (Marissa Luck), Re: Diesel exhaust and tier 4 standards. Robert
 Daguillard (Christie covering today).

- Inside EPA, DEADLINE: 8/24 (Maria Hegstad), Re: Perchlorate Peer Review. Tricia Lynn (Enesta covering, story ran but reporter would still like response).
- Inside EPA, DEADLINE: 8/22 (Stuart Parker), Re: EPA approval of state air plans. Enesta Jones.
- The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard (Christie covering).
- World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. Christie StClair.
- Oregon Public Broadcasting, DEADLINE: 8/16 (Tony Schick), Re: Poison Papers. Robert Daguillard.
- BNA, DEADLINE: 8/14 (Tiffany Stecker), Re: OIG report: EPA lost audit trail for pesticide fee fund. Robert Daguillard (Christie backing).
- Audubon, DEADLINE: 8/11 (Meredith Rutland Bauer), Re: OECA budget cuts. Tricia Lynn (Julia backing).
- AP, DEADLINE: flexible (Jason Dearen), Re: Superfund storm surge. Christie StClair.

BNA, DEADLINE: 9/5 (Sylvia Carignan), Re: Superfund top 10. Christie StClair.

Background:

Reporter looking for timing of Administrator's top 10 list of Superfund sites, which was anticipated in September. Reporter: Sylvia Carignan, BNA, scarignan@bna.com

Proposed response:

Deliberative Process / Ex. 5

Inquiry:

I've heard the administrator's top 10 list of Superfund sites will be available in September. If that's the case, could you provide the list, or an estimate on when it will be created?

Argus, DEADLINE: 9/5 (Laura Mojonnier), Re: Decision on effluent limitations data lawsuit. *Robert Daguillard*.

Background:

OGC and OW recommend referring the reporter to DOJ, a standard response in this type of inquiries. Laura Mojonnier – Argus – laura.mojonnier@argusmedia.com

Response:

Deliberative Process / Ex. 5

Inquiry:

I'm a reporter with Argus Media, and I was wondering if EPA had any comment on the DC Circuit's decision not to grant an en banc review to environmental groups on the effluent limitations data case? (Case no. 16-5109).

My direct line is 202-349-2881 if someone has a moment to chat.

Chemical Watch, DEADLINE: 9/4 (Julie Miller), Re: Pending section 6 rules. Robert Daguillard.

Background:

Section 6 of TSCA, as amended the Lautenberg Act, provides EPA with the authority to prohibit or limit the manufacture, processing, distribution in commerce, use, or disposal of a chemical if EPA evaluates the risk and concludes that the chemical presents an unreasonable risk to human health or the environment. Trichloroethylene (TCE) is a volatile organic compound (VOC) that is produced or imported into the United

States, with use estimated to be around 250 million pounds per year. It is a clear, colorless liquid that has a sweet odor and evaporates quickly. TCE is a toxic chemical with human health concerns. Julie Miller — Chemical Watch — <u>julie.miller@chemicalwatch.com</u>

Response:

Deliberative Process / Ex. 5

Inquiry:

I am a relatively new reporter at Chemical Watch and I'm hoping you can shed some light on something for me.

In looking over the EPA's spring regulatory agenda, we noticed that the Section 6 rule on N-Methylpyrrolidone (NMP) and Methylene Chloride is now listed as awaiting publication of a supplemental NPRM. One of the TCE proposals was moved onto "long term action" list while the other is listed as "final rule TBD."

Is this tacit confirmation that the TCE rules are being dropped, which most people expected? Why are the two TCE rules are listed differently? Why is the EPA planning to publish a supplemental NPRM for methylene chloride and NMP?

I appreciate whatever level of response you can give me.

If you would like to answer in email, that is fine, but I would love to have a brief conversation if you have the time this afternoon or tomorrow. My number is 202-803-5909. I work in a home office and there's no such thing as a time that's either too early or too late.

Reuters, DEADLINE: 9/1 (Emily Flitter), Re: EPA dicamba options. Robert Daguillard.

Background:

The reporter is one of three Reuters journalists working on a series on the dicamba drift incidents that have taken place primarily in Missouri and Arkansas and, more recently, in Illinois – Emily Flitter – Reuters – emily flitter (athomson reuters com

Response:

Deliberative Process / Ex. 5

Can you elaborate on these options at all for our story? Which one is in the lead now as the favorite? When does the agency hope to make a decision? When can the public expect a proposal?

2. We also plan to include in the story the fact that the 2-year duration of the label given for XtendiMax and Engenia is "unprecedented." Usually labels are given for five years. Can you confirm this?

Answer:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

3. Is there any other time at which the agency has only given a pesticide a two-year label?

Answer:

Deliberative Process / Ex. 5

Inquiry:

My colleague Tom Polansek and I are working on a story about the options the EPA is considering for addressing the dicamba drift issues that came up in the 2017 growing year. As you stated in our correspondence a month ago, the EPA is reviewing the labels for XtendiMax and Engenia. We have from several sources that EPA is considering

- -imposing a cutoff date after which spraying will be prohibited until the growing season is over (for 2018, at least)
- -changing the label to allow for spraying only during certain hours
- -requiring additional training and testing for those who seek to use the product.

Can you elaborate on these options at all for our story? Which one is in the lead now as the favorite? When does the agency hope to make a decision? When can the public expect a proposal?

We also plan to include in the story the fact that the 2-year duration of the label given for XtendiMax and Engenia is "unprecedented." Usually labels are given for five years. Can you confirm this? Is there any other time at which the agency has only given a pesticide a two-year label?

I'm on the road, so if you wouldn't mind sending any responses you have to Tom and Jo as well it would be most helpful. Our deadline is 2pm Thursday, Aug 31

Fruit Grower News, DEADLINE: 9/1 (Dave Weinstock), Re: Pesticide impact on bees. Robert Daguillard.

Background:

EPA's response to the GAO report outlines agency action taken since the report's publication and expresses general agreement with the report's findings. Dave Weinstock – Fruit Grower News – (b) (6) / Personal Privacy

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

As I mentioned to you on the phone, I'm working on a story on fungicides and bee mortality for <u>Fruit Growers</u> News.

In the course of my interviews, I found a GAO report released in February 2016 that suggested EPA could do more toward "reducing the risk of unreasonable harm to [bees]" by pesticides and other crop protection chemicals.

Here's a link to the report:

https://www.gao.gov/products/GAO-16-220

My questions relate specifically to a recommendation on page 45-46 in which GAO notes EPA could be doing a lot more to assure pollinator survival.

My questions here are:

- (1) Have ring tests (to assess the acute contact and oral toxicity of pesticides to bumble bees) been incorporated into EPA's risk assessment process?
- (2) Has EPA developed (and implemented) a plan for obtaining data from pesticide registrants on the effects of pesticides on non-honey bee species, including other managed or wild, native bees, into its risk assessment process?
- (3) When will/does EPA require pesticide/fungicide manufacturers to address risks of tank mixtures (on their labels).
- (4) Has it begin to obtain data on synergistic toxicity increases when fungicides are mixed with pesticides? Are there plans to require labeling referring to that problem? What is the timeline on that?
- (5) What is EPA's thinking on recent research pointing to sub-lethal effects on bees by adjuvants, surfactants and inerts in pesticides?

I'll be wrapping this story up tomorrow around 3 p.m. Thanks, in advance, for whatever information you can dig up for me.

HybridCars.com, DEADLINE: 8/29 (Jeff Cobb), Re: Mid-term evaluation timeline. Robert Daguillard.

Background:

The information the reporter is seeking is publicly available, to be found on: https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas — Jeff Cobb — Hybrid Cars — jcobb@verticalscope.com

Response:



<u>Inquiry:</u>

CAFE 2022-2025?

I'm told there is an NPRM, a public comment period for some duration, and a final determination by some time in 2018?

Could you please tell me the actual sequence of events, and their estimated timing?

Longview (WA) Daily News, DEADLINE: 8/24 (Marissa Luck), Re: Diesel exhaust and tier 4 standards. Robert Daguillard.

Background:

The reporter is doing a story about possible health risks from diesel emissions - from trains carrying coal to a proposed terminal in Longview, WA. Marissa Luck – Longview (WA) Daily News – mluck@tdn.com

Response:

Inquiry:

Just following up with our phone conversation. I was hoping I could talk to someone from EPA about tier 4 standards for locomotives. This is for a story about diesel emissions from trains carrying coal to the proposed coal terminal in Longview backed by Millennium Bulk Terminals. According to a state and county environmental impact statement, trains carrying coal could increase the cancer risk rate by 10 percent for the low-income neighborhood in Longview. I think this has broader implications across the state about diesel emissions from trains affect the risk of cancer for anyone living near a rail line. I'm curious to know how these tier 4 standards reduce exposure to diesel exhaust and other carcinogens. My deadline is 4 p.m. Thursday Aug. 24 so if there is someone I can talk to before that would be great.

Inside EPA, DEADLINE: 8/24 (Maria Hegstad), Re: Perchlorate Peer Review. Tricia Lynn.

Background:

Reporter is looking for a comment on the status of the perchlorate Safe Drinking Water Act regulation. Specifically, she wants to know whether EPA will meet the deadline to complete peer review by October 18. She also asks about an inter-agency panel on perchlorate. Reporter is Maria Hegstad (mhegstad@iwpnews.com) of Risk Policy Report.

Suggested Response:

Inquiry:

Is it possible to get a comment this afternoon on the status of the perchlorate SDWA regulation? The first court-ordered deadline is for EPA to complete peer review by Oct. 18 -- but the agency has yet to issue a Federal Register notice about the second planned peer review panel meeting.

Can you comment on whether EPA will meet this deadline, or if peer review plans have changed?

Also, I understand there is now an interagency panel of some sort on perchlorate. I understand this group met two weeks ago and members were unhappy that EPA give them only the charge questions for peer review -- but declined to provide the underlying documentation of how the perchlorate model will be used. Any comment?

Inside EPA, DEADLINE: 8/22 (Stuart Parker), Re: EPA approval of state air plans. Enesta Jones.

Background:

Inside EPA reporter is asking about the disapproval of air state implementation plans under the new administration. Response input form OAR. Stuart Parker, stuart.parker@iwpnews.com

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

Hi Enesta,

Can someone at EPA tell me how many disapprovals of state implementation plans (SIPs) EPA has issued under the Trump administration that:

- 1) were not proposed for disapproval under the Obama administration and
- 2) were not compelled by a court order?

The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. Robert Daguillard.

Background:

The response consists of: Delibe

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Response:

Deliberative Process / Ex. 5

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00185444-00008

Inquiry:

Hello, Robert

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

- 1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
- 2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
- 3. Was that panel a public hearing? Or was it open only to invited scientists?
- 4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

World Wildlife Fund, DEADLINE: 8/21 (Hannah Levitt), Re: Green disaster response and recovery. *Christie StClair*.

Background:

We're handling this inquiry from World Wildlife Fund as a media inquiry, since it may end up as a blog or article on the WWF website. The proposed response comes from OLEM's Office of Emergency Management. I'd like to send our final response to the FEMA public affairs desk with an FYI they may be hearing from the reporter shortly. Reporter: Hannah Levitt, World Wildlife Fund Environment and Disaster Management program, Hannah.Levitt-intern@wwfus.org

Proposed response:

Inquiry:

My name is Hannah Levitt and I am a communications intern at the World Wildlife Fund Environment and Disaster Management program (envirodm.org). The program works with humanitarian and environmental groups to integrate environmental considerations into disaster relief and recovery outside of the U.S. As part of my internship, I am conducting research on environmentally friendly and community-driven disaster recovery efforts in the U.S. I am wondering if any of you can provide me with any further information regarding these kind of efforts in the U.S. or point me in the direction of someone who may be able to further discuss this topic

I am potentially doing a piece for our own website (a blog post, if you will), but I am also just information-gathering on disaster recovery efforts that are specifically environmentally focused.

To your knowledge what kinds of green/environmentally friendly disaster recovery efforts have occurred and/or are occurring in the U.S.? Do you have any specific examples you can provide me with or any contacts in organizations/nonprofits/etc.?

Oregon Public Broadcasting, DEADLINE: 8/16 (Tony Schick), Re: Poison Papers. Robert Daguillard.

Background:

The documents the reporter is referencing are available at www.poisonpapers.org and reference what the organizers say is collusion between the pesticides and chemical industry on the one hand, and regulatory agencies, on the other, going back to the 1920s.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Response:

Deliberative Process / Ex. 5

Inquiry:

My name is Tony Schick, I'm a reporter for Oregon Public Broadcasting, I'm producing a story on a collection of documents called the Poison Papers (www.poisonpapers.org). According to the organizations publishing the documents, they contain a number of items concern the EPA, including the following, which I've excerpted from the Center for Media and Democracy website:

"Secrecy — They disclose EPA meeting minutes of a secret high-level dioxins working group that admitted dioxins are extraordinarily poisonous chemicals. Internal minutes contradict the agency's longstanding refusal to regulate dioxins or set legal limits.

Collusion — They demonstrate EPA collusion with the pulp and paper industry to "suppress, modify, or delay" the results of the congressionally-mandated National Dioxin Study, which found high levels of dioxins in everyday products, such as baby diapers and coffee filters, as well as pulp and paper mill effluents.

Deception — They provide important new data on the infamous Industrial Bio-Test (IBT) scandal. By the late 1970s, it was known that more than 800 safety studies performed by IBT on 140 chemicals produced by 38 chemical manufacturers were nonexistent, fraudulent, or invalid. The Poison Papers, however, show that EPA

and its Canadian counterpart, the Health Protection Branch (HPB), colluded with pesticide manufacturers, to keep invalidly registered products on the market and covered up massive problems with many IBT tests.

Cover-up — The papers also show that EPA staff had evidence that this IBT scandal involved more independent testing companies and more products than ever officially acknowledged.

Concealment —Show that EPA concealed and falsely its own studies finding high levels of dioxin - 2,3,7,8-TCDD - in environmental samples and human breast milk following routine use of 2,4-D and 2,4,5-T (Agent Orange) by the federal Forest Service and Bureau of Land Management."

Source: http://www.prwatch.org/news/2017/07/13269/poison-papers-expose-collusion-industry-regulators-hazardous-pesticides-chemicals

I'm seeking comment from the EPA about these. I'd like to set up a phone interview to discuss what's alleged here. I have a deadline by end of day tomorrow, Aug. 15.

BNA, DEADLINE: 8/14 (Tiffany Stecker), Re: OIG report: EPA lost audit trail for pesticide fee fund. Robert Daguillard.

Background:

Office of Inspector General reports usually contain recommendations, as well as an official agency response outlining whatever action the relevant program office has already undertaken, or proposes to take. Ms. Stecker is reaching out to us for comment because the report she is referencing – identifying weaknesses in our pesticide fee fund audit system - contained neither recommendations, nor agency response. Tiffany Stecker – BNA – tstecker@bna.com

Proposed Response:

Deliberative Process / Ex. 5

Inquiry:

Would the EPA be able to comment on this recent IG report? https://www.epa.gov/sites/production/files/2017-08/documents/ epaoig 20170814-17-p-0362.pdf

I know the report states that EPA is working to correct some of these auditing problems, but it doesn't include an official response from EPA. Would you like to provide a statement?

Audubon, DEADLINE: 8/11 (Meredith Rutland Bauer), Re: OECA budget cuts. Tricia Lynn.

Background:

Reporter wants to know about cuts to OECA under the President's proposed budget, and specifically how OECA will balance its budget if non-pay funds have to be shifted to pay salaries. Freelance reporter is Meredith Rutland Bauer (b) (6) / Personal Privacy, writing for Audubon.

Suggested Response:

Deliberative Process / Ex. 5

Inquiry:

I'm a freelance environmental reporter, and I'm working on a piece for Audubon about the White House's proposed EPA budget and the portion allocated for the EPA's Office of Enforcement and Compliance Assurance. As acting director, I'd like to get your thoughts about the proposed budget and its potential impact on your department.

Since the 2018 budget allocates \$356 million for the EPA OECA salaries and \$62 million for non-pay expenses, I noticed that is \$125.6 million less than the 2017 budget. Since this means there is \$83.4 million less for salaries, and because the process of laying off staff is lengthy, does this mean the EPA OECA will have to use the remainder of its non-pay funds to balance its budget.

If this is not the case, how will the EPA OECA balance its budget?

If non-pay dollars must be moved to salaries, how will the OECA pay for any non-pay expenses like testing methods, court fees and lab costs required when doing investigations?

Can I expect a response from your office by the end of this business week?

AP, DEADLINE: flexible (Jason Dearen), Re: Superfund storm surge. Christie StClair.

Background:

Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge. He's just starting his story research, and he is looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. The 2012 report, and accompanying spreadsheet of locations, was already made public in response to a FOIA request. Reporter: Jason Dearen, AP, jdearen@ap.org.

Proposed response:

Deliberative Process / Ex. 5

Inquiry:

Hi there.

I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change- adaptation#impacts Thanks very much. I can be reached at 352-213-9949.

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]

Sent: 8/31/2017 6:12:03 PM

To: Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; OLEM OSRTI Press [OLEM-OSRTI-Press@epa.gov]

CC: Taylor, Trish [Taylor.Trish@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]

Subject: RE: AP (DDL COB): Storm surge & Superfund

Thanks, Greg.

From: Siedschlag, Gregory

Sent: Thursday, August 31, 2017 1:59 PM

To: StClair, Christie <StClair.Christie@epa.gov>; OLEM OSRTI Press <OLEM-OSRTI-Press@epa.gov>

Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Will try to find out, Christie. The person who helped us with this is out until Sept. 5 but I'm hoping someone else can answer.

Greg Siedschlag

Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency

Office: (703) 603-9044

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From: StClair, Christie

Sent: Thursday, August 31, 2017 12:27 PM

To: Siedschlag, Gregory <Siedschlag. Gregory@epa.gov>; OLEM OSRTI Press <<u>OLEM-OSRTI-Press@epa.gov</u>>

Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Greg,

I got OPS approval to send this info to the AP last night. This morning I got a follow up note from the reporter.

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks! Christie

From: Siedschlag, Gregory

Sent: Friday, August 18, 2017 1:10 PM

To: StClair, Christie <StClair.Christie@epa.gov>; OLEM OSRTI Press <<u>OLEM-OSRTI-Press@epa.gov</u>>

Cc: Taylor, Trish Taylor.Trish@epa.gov> Colip, Matthew Colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Our SMEs are out today. Can we extend this to Monday?

Greg Siedschlag

Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation

U.S. Environmental Protection Agency

Office: (703) 603-9044

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From: StClair, Christie

Sent: Friday, August 18, 2017 11:28 AM

To: OLEM OSRTI Press < OLEM-OSRTI-Press@epa.gov>

Cc: Taylor, Trish Taylor.Trish@epa.gov> Colip, Matthew Colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Delooping ORCR – just an error from sending while literally on phone with reporter.

From: Harman, Greta

Sent: Friday, August 18, 2017 11:19 AM

To: StClair, Christie <StClair.Christie@epa.gov>; ORCR Press <ORCR Press@epa.gov>; OLEM OSRTI Press <OLEM-OSRTI-

Press@epa.gov>

Cc: Taylor, Trish Taylor.Trish@epa.gov>; Colip, Matthew Colip.matthew@epa.gov>

Subject: RE: AP (DDL COB): Storm surge & Superfund

Adding OSRTI.

Greta Harman

U.S. Environmental Protection Agency Office of Resource Conservation and Recovery (703) 308-8461

From: StClair, Christie

Sent: Friday, August 18, 2017 11:17 AM **To:** ORCR Press < ORCR Press@epa.gov>

Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>

Subject: AP (DDL COB): Storm surge & Superfund

Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge.

He's looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Can we get him the technical document?

Deadline COB today if possible, but next week is okay too.

Christie

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 6/4/2018 1:01:00 PM

To: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: Pruitt hotel room paid for by ACC

Attachments: RE speaker request form - ACC BOD meeting 11 9 Kiawah Island SC.pdf

We had this discussion in the fall and we told the Associated Press that all expenses were paid for by EPA. It should also be noted in your story that both Gina McCarthy and Lisa Jackson spoke at the council board meetings during the Obama administration. Additionally, Pruitt did not spend the night at the conference and career ethics officials approved his speaking engagement (see attachment), which should also be noted in your story.

"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM." – EPA spokesman, Jahan Wilcox

Additionally, we issued these statement as well last year:

- "This was part of Administrator Pruitt's back-to-basics tour as he met with as many stakeholders as possible. Administering the Toxic Substances Control Act (TSCA), amended by the 2016 Lautenberg Chemical Safety Act, is one of EPA's core function."
 - EPA spokesman, Jahan Wilcox
- "All expenses were paid for by EPA." EPA spokesman, Jahan Wilcox

BACKGROUND ...

"Travel and lodging expenses for Pruitt, four aides and his security team will be borne by taxpayers." (The Associated Press, 11/05/17)

"The EPA on Thursday said the government is paying for the group's expenses." (The Washington Post, 11/02/17)

"Previous EPA administrators Gina McCarthy and Lisa Jackson spoke at council board meetings during the Obama administration, she said." (The Post and Courier, 11/03/17)

From: Bridis, Ted [mailto:TBridis@ap.org]
Sent: Sunday, June 3, 2018 1:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Press <Press@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov> **Subject:** Re: Pruitt hotel room paid for by ACC

Thank you for answering our inquiry factually, Jahan, but the continuing digs are unnecessary and unprofessional behavior from a civil servant.

For the record, AP hasn't moved Michael off covering EPA, nor do we intend to, and we dispute that Michael (or our questions) are anti-Trump.

On Jun 3, 2018, at 1:12 PM, Wilcox, Jahan < wilcox.jahan@epa.gov > wrote:

Michael -

If you read the email, I said you are an anti-Trump reporter, not the questions. Folks know you are a dishonest reporter and it could be why the Associated Press moves you from beat to beat.

In the past five months, we have done extensive interviews with the New York Times, CBS News, Bloomberg, Reuters and other outlets in Washington.

Here is our statement:

"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM."

Jahan

On Jun 3, 2018, at 12:33 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

There are emails from October written by EPA staff saying that the ACC would be paying for the administrator's room. There have been other previously reported examples by AP and other news organizations where he accepted hotel rooms and other gifts from industry groups and corporate interests. This is an issue of great public interest, considering there are a dozen ongoing federal investigations into the adminsrator's spending and conduct.

It is not "anti-Trump" for The Associted Press to ask questions about these issues, as is every other major media organization in Washington. We will continue to do so.

MIchael

From: Wilcox, Jahan < wilcox.jahan@epa.gov >

Sent: Sunday, June 3, 2018 9:37 AM

Subject: Re: Pruitt hotel room paid for by ACC

To: Feldman, Carole <<u>cfeldman@ap.org</u>>, Biesecker, Michael <<u>mbiesecker@ap.org</u>>, Knickmeyer, Ellen <<u>eknickmeyer@ap.org</u>>

Cc: Press press@epa.gov, Ferguson, Lincoln <ferguson.lincoln@epa.gov</pre>

I remember the conversation very well and as always you couldn't accurately report the situation (standard problem for anti-Trump reporters like yourself). It took numerous tries for you to comprehend our statement. I have full confidence you will find a way to mislead the folks who pay for AP's service.

"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM." EPA spokesman, Jahan Wilcox

On Jun 2, 2018, at 4:09 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

AP has reviewed EPA documents that indicate the American Chemistry Council picked up the tab for Administrator Pruitt's hotel room on Nov. 8 at Kiawah resort in South Carolina. You might remember that we had an email exchange about the trip on Nov. 3, during which you provided in the record comment that the EPA employees going on the trip would be staying at government expense for \$135 a night, within the limit allowed under federal reimbursement rules.

Did EPA ethics officials review and clear in advance the administrator's acceptance of a free hotel room from an industry trade group actively engaged in lobbying his agency? If so, please provide documentation they cleared his acceptance of the gift.

Also, please feel free to clarify your earlier statement that EPA employees were staying for \$135 a night, which in the case of the administrator does not appear to have been accurate.

We are planning to work on this through the weekend.

Thanks.

MIchael

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 3/6/2018 8:50:14 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: Seeking AP Correction for False Reporting

Sorry, forgot to copy you.

From: Bowman, Liz

Sent: Tuesday, March 6, 2018 3:46 PM

To: 'Feldman, Carole' <CFeldman@ap.org>; 'Pace, Julie' <JPace@ap.org>

Cc: Jackson, Ryan < jackson.ryan@epa.gov>

Subject: Seeking AP Correction for False Reporting

Hi Carole and Julie -

In one of Michael Biesecker's most recent Associated Press articles, the AP claimed: "The AP filed a public records request with EPA in August under the Freedom of Information Act, seeking copies of all ethics letters, agreements or waivers for Pruitt's team. So far, the agency has yet to release a single document."

This is not true.

EPA's senior counsel for ethics said that: Earlier this month, OGC/Ethics issued 15 interim FOIA releases and closed out about 50 FOIA requests. EPA's ethics office did an interim release to Michael Biesecker with the AP on March 2nd (FOIA #EPA-HQ-2017-010171) and provided all recusal statements, impartiality determinations and 13770 waivers through 2/16.

While claiming "the agency has yet to release a single document" is a short phrase inserted into a larger piece – we take issue with the fact that the Associated Press would print this inaccurate and false statement.

We urge the Associated Press to issue a correction to this inaccurate and false reporting.

Thank you,

Liz Bowman, on behalf of EPA

From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 4/17/2018 5:55:20 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Pruitt email addresses and FOIA

Thanks.

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Tuesday, April 17, 2018 1:54 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Pruitt email addresses and FOIA

Q: Personal email for public business

A: No.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 17, 2018 1:52 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Pruitt email addresses and FOIA

Jahan,

Please also answer for the record whether Administrator Pruitt has used any personal email addresses for public business while at EPA, as records show he did previously while serving as Oklahoma attorney general. You'll remember that was one of the issues raised during his confirmation hearing last year.

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Tuesday, April 17, 2018 1:33 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>

Subject: RE: Pruitt email addresses and FOIA

Below are our two statements.

- CAREER EPA EMPLOYEE: "When EPA receives a FOIA request concerning the Administrator's emails, all accounts associated are searched before we respond to that request." – Steve Fine, Acting Chief Information Officer
- "The EPA maintains three email accounts which are attributed to Administrator Pruitt: two are used by staff for calendaring and public correspondence; the third is used by the Administrator. A fourth email account was created for use by the Administrator but was superseded and never used beyond

three test emails. When we receive a FOIA request all accounts are searched before we respond to the FOIA request." - EPA spokesman, Jahan Wilcox

Also will AP be including that Lisa Jackson used an email account under the name Richard Windsor, which you reported on in 2013? http://www.sandiegouniontribune.com/sdut-emails-of-top-obama-appointees-remain-a-mystery-2013jun04-story.html

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 17, 2018 12:33 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Pruitt email addresses and FOIA

Jahan,

AP will be writing on Chairman Barrasso's letter to Administrator Pruitt asking him to affirm that all four epa.gov email addresses assigned to him are searched in response to FOIA requests.

Could you please provide comment on the senator's letter and whether all four addresses are searched? I read prior comments from you that one of them was only used to send test emails, but never actually used by the administrator.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876 The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you. The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you. The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication or copying of this communication is strictly prohibited. If you have received this communication or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 6/6/2018 2:58:47 PM

To: Feldman, Carole [CFeldman@ap.org]; Knickmeyer, Ellen [EKnickmeyer@ap.org]; Bridis, Ted [TBridis@ap.org];

Biesecker, Michael [MBiesecker@ap.org]

Subject: Question ...

Since the Associated Press has spent an extensive amount of their resources covering security costs at EPA, we were curious if you are reporting on Occupy Wall Street's tweet that occurred on June 4, 2018?

Security for EPA chief comes at a steep cost to taxpayers. "Environmental Protection Agency chief Scott Pruitt's concern with his safety came at a steep cost to taxpayers as his swollen security detail blew through overtime budgets and at times diverted officers away from investigating environmental crimes." (The Associated Press, 04/08/18)

https://twitter.com/OccupyWallStNYC/status/1003656873810120704





We are paying the price for years coz the leader of the @EPA is more interested in cultivating major donor\$\$\$\$ than in the health of the environment. (he lives at E. 29th and South Utica in Tulsa if you want to take yr pitchfork to him directly) #ClassWar



A Courtside View of Scott Pruitt's Cozy Ties With a Billionaire Coal Baron

The E.P.A., chief, who has reversed Obama-era rules on coal mining, enjoyed a superfan experience at a University of Kentucky basketball game — courtesy of a ...

nytimes com

11:17 AM - 4 Jun 2018

https://twitter.com/AriFleischer/status/1003658415032406022





In case you're questioning why this guy needs security...

Occupy Wall Street @Compy Wall Street

We are paying the price for years cox the leader of the QEPA is more interested in cultivating major donor\$\$\$\$ than in the health of the environment, (he lives at E. 29th and South Utica in Tulsa if you want to take yr pitchfork to him directly) #ClassWar nytimes.com/2018/06/02/us/...

11:23 AM - 4 Jun 2018 from Bedford, MY

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell: Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 6/7/2018 2:28:07 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Block, Molly

[block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt,

James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: FW: Biesecker as an "anti-Trump reporter"

From: Wemple, Erik [mailto:Erik.Wemple@washpost.com]

Sent: Thursday, June 7, 2018 10:21 AM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Biesecker as an "anti-Trump reporter"

Hi Jahan: Checking in again about this matter. Might you have a chance to talk? 202-334-9583

From: Wemple, Erik

Sent: Wednesday, June 06, 2018 5:21 PM **To:** 'Wilcox, Jahan' <<u>wilcox.jahan@epa.gov</u>> **Subject:** Biesecker as an "anti-Trump reporter"

Hi Jahan: I have learned that you called Michael Biesecker an "anti-Trump reporter" in an email over the weekend and that people know he's a "dishonest reporter."

On what basis did you make those allegations – is it mainly the Houston thing and the correction over the meeting?

Thanks for any assistance here.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 6/8/2018 8:07:41 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Davis, Gail [Davis.Gail@epa.gov]; Hupp, Millan

[hupp.millan@epa.gov]

CC: Daniell, Kelsi [daniell.kelsi@epa.gov]

Subject: RE: Mr. Pruitt's travel voucher for New York Concordia trip; FBI or DOJ contact?

Adding Millan too.

From: Ferguson, Lincoln

Sent: Friday, June 8, 2018 4:05 PM **To:** Davis, Gail < Davis.Gail@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: Fwd: Mr. Pruitt's travel voucher for New York Concordia trip; FBI or DOJ contact?

Gail-

See below. Why were two rooms expensed?

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>

From: "Knickmeyer, Ellen" < EKnickmeyer@ap.org>

Date: June 8, 2018 at 11:16:10 AM MDT

To: "Wilcox, Jahan" < wilcox.jahan@epa.gov >, Press < Press@epa.gov >

Cc: "Biesecker, Michael" < MBiesecker@ap.org>

Subject: Mr. Pruitt's travel voucher for New York Concordia trip; FBI or DOJ contact?

Hi, all,

Mr. Pruitt's individual travel voucher for Sept. 18 2017 – the day of his appearance at the Concordia conference - show he expensed two hotel rooms for the night, at \$301 a night, for a total of \$669. The flight records show he flew out Sept. 19.

Can you explain why the charge for two rooms, on Mr. Pruitt's own expense report and per diem?

Also, the Concordia group said it paid Marlyn Pruitt's travel expenses for the same event. Did she stay at a separate location? Did Concordia also pay for a room for the Pruitts?

And on the Democratic lawmakers' request today to DOJ and FBI, can you tell me if the DOJ or FBI already has been in contact with Mr. Pruitt or EPA staff?

Thank you,

Ellen

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/5/2018 7:31:40 PM **To**: Press [Press@epa.gov]

Subject: FW: 2017 Superfund NPL deletions

From: Wilcox, Jahan

Sent: Friday, January 5, 2018 11:20 AM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'cfeldman@ap.org' <cfeldman@ap.org>; 'Pace, Julie' <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: 2017 Superfund NPL deletions

On-the-record statement: "In 2016, President Obama's EPA cleaned-up two Superfund sites, but rather than cherry-pick individual years, it would only be fair to judge us upon the completion of our tenure. Under Administrator Pruitt's leadership, we've completed the cleanup of 7 toxic land sites and this is just the beginning." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:34 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >
Subject: RE: 2017 Superfund NPL deletions

We have moved our story. We can update when you provide comment.

Again, the main question:

Please provide on-the-record comment regarding any specific action or change in EPA's NPL delisting procedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, January 05, 2018 10:30 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: 2017 Superfund NPL deletions

Hi Michael – Can you please explain how the release is taking full credit for the delistings of these seven sites? Thank you – Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:00 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: RE: 2017 Superfund NPL deletions

Pinging again. We plan to publish soon.

From: Biesecker, Michael

Sent: Friday, January 05, 2018 8:46 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Subject: 2017 Superfund NPL deletions

Liz, Jahan,

Following your release from Tuesday on the "significant improvement" in the number of deletions from the NPL list between 2016 and 2017, AP has gone back and looked at the numbers of deletions since 2001.

As you are likely aware, 2016 was the lowest year for deletions under Obama. Over the full eight years, EPA averaged better than 10 deletions a year. Under Bush, there were on average more than 17 deletions each year.

Though EPA's media release this week credited Administrator Pruitt's leadership with tripling the number of sites deleted, records show that construction/remediation work at all seven sites was completed before he was confirmed at the agency. Filings from the Federal Register show EPA announced its move to withdraw four of the seven sites in public announcements dated in 2016. The planned deletions of two others were announced prior to Pruitt's May 22 directive establishing his Superfund Task Force.

Please provide on-the-record comment regarding any speciffic action or change in EPA's NPL delisting proceedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876 The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you. The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/11/2018 6:12:21 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]

Subject: FW: Hill/AP Stories

I won't respond, but this is the oldest trick in the book (copyright ABC News).

https://www.washingtonpost.com/blogs/erik-wemple/wp/2015/05/15/dear-abc-news-pr-tell-us-you-didnt-shaft-the-washington-free-beacon/?utm_term=.0d60e34fc656

From: Wemple, Erik [mailto:Erik.Wemple@washpost.com]

Sent: Thursday, January 11, 2018 12:41 PM **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Hill/AP Stories

Hi Jahan: Hope the new year is going well.

Just writing to ask you about a situation: I have it on good authority that after the Associated Press checked with you folks about this story: https://apnews.com/242fd35342c34a41b2e2db69b64c44d1/EPA-chief-sweeps-office-for-bugs-installs-high-tech-locks You folks tipped off The Hill to the same scoop: http://thehill.com/policy/energy-environment/365495-epa-chief-pruitt-had-office-swept-for-surveillance-bugs

I know that you folks have in the past disagreed with Biesecker's work, but what was the rationale for this? Are you concerned that news outlets will give you folks less warning in the future, based on this sort of experience?

Thanks for any consideration, as always.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/12/2018 6:42:04 PM

To: Aaron Harison [harison@freebeacon.com]

CC: Elizabeth Harrington [elizabeth@freebeacon.com]; scher@freebeacon.com; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: FW: Hill/AP Stories

We hope you do a story on that.

From: Aaron Harison [mailto:harison@freebeacon.com]

Sent: Friday, January 12, 2018 1:30 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Elizabeth Harrington <elizabeth@freebeacon.com>; scher@freebeacon.com; Hewitt, James

<hewitt.james@epa.gov>
Subject: Re: FW: Hill/AP Stories

Interesting. I have it on good authority that the Washington Post refused to answer our questions and instead tipped off CNN on one of their personnel matters...

http://freebeacon.com/politics/washington-post-quietly-drops-reporter-for-attending-democracy-alliance-conference/

On Thu, Jan 11, 2018 at 1:09 PM, Wilcox, Jahan < wilcox jahan@epa.gov > wrote:

https://www.washingtonpost.com/blogs/erik-wemple/wp/2015/05/15/dear-abc-news-pr-tell-us-you-didnt-shaft-the-washington-free-beacon/?utm_term=.15bdcd83f4b8

From: Wemple, Erik [mailto:Erik.Wemple@washpost.com]

Sent: Thursday, January 11, 2018 12:41 PM **To:** Wilcox, Jahan wilcox.jahan@epa.gov

Subject: Hill/AP Stories

Hi Jahan: Hope the new year is going well.

Just writing to ask you about a situation: I have it on good authority that after the Associated Press checked with you folks about this story: https://apnews.com/242fd35342c34a41b2e2db69b64c44d1/EPA-chief-sweeps-office-for-bugs,-installs-high-tech-locks You folks tipped off The Hill to the same scoop: http://thehill.com/policy/energy-environment/365495-epa-chief-pruitt-had-office-swept-for-surveillance-bugs

I know that you folks have in the past disagreed with Biesecker's work, but what was the rationale for this? Are you concerned that news outlets will give you folks less warning in the future, based on this sort of experience?

Thanks for any consideration, as always.

Aaron Harison

President

Free Beacon, LLC

Desk: (202) 465-8611

Ex. 6

Email: Harison@FreeBeacon.com

http://FreeBeacon.com

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/13/2017 6:40:25 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block,

Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

Subject: FW: Pruitt in Paris/Morocco

Nancy, Liz & others - FYI.

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:38 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'Pace, Julie' <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** RE: Pruitt in Paris/Morocco

Michael -

Not everything you have listed is correct, you should make sure your source is giving you accurate information. Below is our on-the-record statements:

"This trip allowed us to directly convey our priorities and best practices with Moroccan leaders, as well as identify opportunities for continued cooperation, as our two countries further talks around the Environmental Work Plan. We are committed to working closely with countries like Morocco to enhance environmental stewardship around the world." – EPA Administrator Scott Pruitt

"EPA Administrator Pruitt discussed our bilateral free trade agreement, solid waste response, disaster relief and communications with top Moroccan officials." – EPA spokesman, Jahan Wilcox.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, December 12, 2017 12:34 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 12:09 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >; Press < Press@epa.gov >

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/13/2017 6:54:35 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]

CC: Hupp, Millan [hupp.millan@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]

Subject: FW: Pruitt in Paris/Morocco

FYI.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, December 13, 2017 1:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** RE: Pruitt in Paris/Morocco

I did misstate that the \$17,500 is for Pruitt's airfare. That is a total including other expenses. Are there other issues you would like to raise?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, December 13, 2017 1:38 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov > Subject: RE: Pruitt in Paris/Morocco

Michael -

Not everything you have listed is correct, you should make sure your source is giving you accurate information. Below is our on-the-record statements:

"This trip allowed us to directly convey our priorities and best practices with Moroccan leaders, as well as identify opportunities for continued cooperation, as our two countries further talks around the Environmental Work Plan. We are committed to working closely with countries like Morocco to enhance environmental stewardship around the world." – EPA Administrator Scott Pruitt

"EPA Administrator Pruitt discussed our bilateral free trade agreement, solid waste response, disaster relief and communications with top Moroccan officials." – EPA spokesman, Jahan Wilcox.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

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Cc: Press < Press@epa.gov>

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Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Pruitt in Paris/Morocco

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 3/29/2018 1:50:27 PM

To: Jones, Enesta [Jones.Enesta@epa.gov]; Block, Molly [block.molly@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]

Subject: RE: Scheraga memo on climate change talking points

Deliberative Process / Ex. 5

From: Jones, Enesta

Sent: Thursday, March 29, 2018 9:50 AM

To: Block, Molly <block.molly@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Fwd: Scheraga memo on climate change talking points

Deliberative Process / Ex. 5

From: "Biesecker, Michael" < MBiesecker@ap.org>

Date: March 29, 2018 at 9:43:35 AM EDT **To:** "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>

Cc: "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, Press <Press@epa.gov>

Subject: RE: Scheraga memo on climate change talking points

Enesta,

AP's editorial policy doesn't allow us to use anonymous quotes unless the speaker has a specific reason they can't be quoted by name, such as fear of retribution, etc. OK to attribute this to you?

Thanks,

Michael

From: Jones, Enesta < Jones. Enesta@epa.gov > Sent: Thursday, March 29, 2018 9:40 AM
To: Biesecker, Michael < MBiesecker@ap.org >

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Re: Scheraga memo on climate change talking points

Michael,

From an EPA spokesperson: "The talking points were developed by the Office of Public Affairs. The Agency's work on climate adaptation continues under the leadership of Dr. Scheraga."

On Mar 29, 2018, at 9:39 AM, Biesecker, Michael < MBiesecker@ap.org > wrote:

You guys are OK with AP reporting that you refused to comment on this?

From: Biesecker, Michael

Sent: Wednesday, March 28, 2018 1:53 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov >

Subject: Scheraga memo on climate change talking points

Liz, Jahan,

AP will be reporting on the memo signed by Joel Scheraga sent within EPA providing talking points about climate change approved by the Office of Public Affairs. It contains two talking points that appear to directly contradict the 2017 consensus of 13 federal agencies (including EPA) that the scientific evidence global warming is being driven by human activities is "unambiguous":

"Human activity impacts our changing climate in some manner. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue."

"While there has been extensive research and a host of published reports on climate change, clear gaps remain including our understanding of the role of human activity and what we can do about it."

Please provide on-the-record comment about what the source or sources are for the OPA's contention that there are "clear gaps" in understanding the role of man-made emissions.

Thanks,

Michael

<image001.jpg>

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck

Public Key

<image002.jpg>

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00186019-00002

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/8/2017 3:06:03 PM

To: Shawn McCoy [shawn@insidesources.com]; Press [Press@epa.gov]; (6) / Personal Privacy ; Bowman, Liz

[Bowman.Liz@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Final Request for Comment

I have left Ethan a voicemail.

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Friday, December 8, 2017 10:03 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>, (6) / Personal Privacy; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

Ethan's number: 856-905-3950

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, December 08, 2017 9:24 AM

To: Shawn McCoy <<u>shawn@insidesources.com</u>>; Press <<u>Press@epa.gov</u>>; (b) (6) / Personal Privacy; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

I just tried to call you.

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Thursday, December 7, 2017 8:10 PM

To: Press < Press@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov > (6) / Personal Privacy; Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: Final Request for Comment

Hey all,

The story below is set to publish tomorrow. I will wait until noon to hear back.

If you need it, I would be happy to provide you with additional time to review and respond to the information presented in the article. Just please email or call me, and let me know how much additional time you will need in order to get back to us.

But as I have been trying to get any type of response from the EPA related to this for the past week, I'm guessing you're not planning to respond.

This will be the first of a series of articles we plan to continue reporting on the EPA's media relations. Early next week, we have a full interview with Andrew Haffner that we plan to publish.

I would strongly encourage you to please reach out and discuss this with me. I spent a lot of my career working on GOP campaigns. We have a number of mutual friends. I understand some of the pressures you face in your jobs. I would enjoy the opportunity to discuss this article in greater detail. I'm happy to do so off the record if you would feel more comfortable.

I hope to hear back from you.

All the best,

Shawn

Shawn McCoy

Publisher

InsideSources.com Phone: 330-207-5893

e-mail: shawn@insidesources.com

Intimidation, Personal Attacks, and Silence: The EPA's Press Strategy Under Pruitt

By Ethan Stoetzler

In the months since Scott Pruitt took over as Administrator of the Environmental Protection Agency, he has dedicated the agency to rolling back regulations, in favor of the production of coal, expanded oil enterprises, and giving more authority of the management of natural resources back to their respective states. No doubt, these issues are often divisive along party lines, just as they were when the Obama administration implemented its agenda. Pruitt has been true to not only his word, but also the positions that Donald Trump advocated as he campaigned for office.

What is unusual about the implementation of Pruitt's agenda has been a strategy implemented by the EPA's press office that seems out of place in American democracy. Since the beginning of Pruitt's tenure, the EPA has been routinely threatening reporters with action by law enforcement, launching false personal attacks on journalists, cutting reporters off of press releases, limiting media access, and displaying an unprecedented level of hostility toward the media.

Just <u>last week</u>, an InsideSources reporter was escorted by a Story County Sheriff's Deputy out of an EPA event at an Iowa farm in which Administrator Scott Pruitt was the keynote speaker. The reporter received no formal explanation as to why he was being removed. Subsequent attempts by InsideSources to speak with EPA spokesman Jahan Wilcox were left unanswered.

The use of police force to keep events closed to members of the media is not an isolated incident in Pruitt's EPA. Neither is the EPA's silence as to why media is being discouraged from coming to appearances of the administrator

Back on <u>August 9</u>, Andrew Haffner, of the Grand Forks Herald in North Dakota, reported that two Herald reporters were threatened by Wilcox to leave a Pruitt event at the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND), or else police — whom Wilcox referred to as "security" — would remove them from the premises. Haffner told InsideSources that he had been to the EERC several times before, as his beat for the Herald is education. While the EERC has an independent structure from the university, the center's lobby is open to the public, which is where Haffner stood with a camera, waiting for Pruitt to arrive.

A <u>UND police</u> officer eventually arrived and told Haffner and his co-reporter that the grounds were private property, then demanded they move away from the center's front doors and across the street, where protesters were standing. Both reporters then noticed that Pruitt's motorcade was approaching the center and towards what Haffner described as a back loading bay. Haffner motioned to his co-worker to make their way to the back to take photos of Pruitt, where they then were stopped by a police vehicle.

According to former EPA Spokeswoman Liz Purchia Gannon, the EPA's strategy of blocking press access to Pruitt is very similar to the strategy employed by the White House communications team under President Trump.

"They're tightly controlling Pruitt's public events and interviews, which isolates him from most Americans and instead plays to Trump's base because that's who they prioritize," Gannon said. "They're not trying to use communications tactics to reach a broad audience."

When Haffner later returned to the press conference following Pruitt's closed roundtable, he was told that the event was still private, though Haffner assured them that he in fact had been invited to this particular portion of the day. Wilcox then approached Haffner, and after an exchange, accused Haffner of cooperating with protesters. Wilcox told Haffner that when he had called his fellow reporter over to take pictures of Pruitt, that Haffner was in fact coordinating protesters.

"He was insinuating I was in fact trying to set up a bit of a stunt with the protesters, which was honestly not the case," Haffner said.

The EPA press office now seems to be making a habit of accusatory and personal attacks against journalists. This behavior was exhibited again back in September, following an Associated Press story <u>documenting</u> Hurricane Harvey. Reporters Michael Biesecker and Jason Dearen wrote that the EPA was not present at at least five flooded "so-called" Superfund sites. EPA spokeswoman Liz Bowman responded to the story with personal attacks on Biesecker, calling his reporting "yellow journalism," and accusing him of not even visiting the sites, claiming that he was in Washington, D.C. at the time. Ignored entirely in the EPA's statement was Dearen, who did in fact visit the sites.

Another instance occurred as documented in the <u>Washington Post</u> on October 27. Bowman and Wilcox had an email exchange with New York Times reporter Eric Lipton, in which both Bowman and Wilcox employed media practices that virtually any PR professional would describe as highly unusual. Bowman and Wilcox refused to confirm the title and start date of a senior EPA employee to Lipton. It is standard practice for a federal agency to be able to provide confirmation of this information. Rather, they referred Lipton to reporting from other media outlets. Lipton responded to explain that reporters can avoid making errors by requesting confirmation from a primary source. Wilcox then accused Lipton of trying to steal other reporters' work.

In addition to the EPA's strategies of using police force to remove reporters and attempting to tarnish reporters' credibility, the EPA also employs the strategy of keeping Pruitt's meetings with elected officials and industry leaders private. It's not just keeping his appearances private, however. A source close with media covering the EPA has said that several prominent reporters have been removed from the EPA's press list, effectively cutting them off from the flow of information.

Even when press conferences are scheduled following Pruitt's meetings, Pruitt is usually not featured in them. InsideSources has found over 12 instances in which Pruitt has held closed door meetings with elected officials and invite-only citizens and industry, leaving both reporters and the public without answers as to why they are being neglected.

Gannon said that by not publicizing Pruitt's events, the EPA will be limiting the opportunities for Pruitt to be exposed and for people to protest.

"He doesn't hold press conferences or gaggles when traveling or at events because they leave too much vulnerability," Gannon said, "and open the door for reporters to ask him questions that he doesn't want to talk about."

For example, in a story published on August 2, in the <u>Indianapolis Star</u>, it was reported Pruitt visited Indiana as part of his "State Action Tour" the day prior, meeting with Indiana Governor Eric Holcomb (R), Lt. Gov. Suzanne Crouch and "other state officials," according to a release sent by the EPA press office in the late afternoon. After his visit, Pruitt hosted a roundtable at Mike Starkey Farms in Boonville but "made no effort to also meet with environmental groups like The Hoosier Environmental Council, the Nature Conservancy's

Indiana Chapter, the Sierra Club's Hoosier Chapter, Citizens Action Coalition, Conservation Law Center, and the Indiana Water Environmental Association." The story said all were unaware of the visit.

In fact, Pruitt's taxpayer-funded visits often neither include an announcement he is visiting the area or any time actually speaking with the public. On August 4, Pruitt visited the Gold King Mine in Colorado, but did not notify the local newspaper or the public, according to Jesse Aaron Paul, political reporter for the Denver Post. According to Paul's twitter thread, the "EPA refused to acknowledge Administrator Scott Pruitt will be at the Gold King Mine today and then [sent] him on local TV."

Paul tweeted that media was not allowed to attend the Gold King tour with Senators Michael Bennet (D) and Cory Gardner (R), and Colorado Governor John Hickenlooper (R). Paul tweeted that there was to be a town hall in Durango, Colorado, but that the event was announced "about 24 hours before it happened -- and [was] for 45 mins." Paul also tweeted that the EPA sent out a news release the day prior to his tweets showing Pruitt meeting with Colorado farmers. The press was not given prior notice that he was in the state.

Not everyone agrees that allowing the media to serve as a watchdog of public officials is inherently a good thing, especially in the Trump era. A GOP media operative who advised the Trump campaign said that barring biased journalists from public appearances was a "long overdue strategy," but the source was deeply surprised that the EPA's press team acted with such hostility to InsideSources.

"Most American reporters are effectively Democratic operatives," the operative said in an email, "so the Trump campaign barring partisan 'journalists' from events was brilliant and a long overdue strategy for the GOP. That said, many outlets, like InsideSources, provide fair coverage and therefore should be treated with the respect and access that real journalists deserve. The EPA should focus on kicking Democratic operatives with journalist credentials out of events--not fair and balanced news outlets like InsideSources."

To be fair regarding Pruitt's enhanced security presence, according to <u>CNN</u>, the EPA's inspector general is in the process of investigating more than 70 threats against Pruitt and others at the agency, nearly five times as many as the previous chief, Gina McCarthy, received. The EPA has increased security for Pruitt by "a dozen" agents, whose salaries alone are to cost minimum \$2 million per year. The agents are to give Pruitt 24-hour security, which the inspector general said had never been done for a chief, prior. In that story, Bowman declined to comment on the enhanced security to protect the administrator.

But while enhanced security for the personal protection of Pruitt can be understandable, the EPA is also spending tax dollars on a private sound proof booth for his use. According to a <u>New York Times story</u>, the EPA has signed a \$25,000 contract to build a completely sound proof "privacy booth" to be placed at EPA headquarters. According to the story, the EPA wanted a "secure phone and computer room, essentially for sensitive information."

The company, Acoustical Solutions, has worked with government offices since 2007 to create soundproof rooms and provide acoustic insulation. But even Steve Snider, a salesman for the company, described the EPA's request and customizations as "unusual."

Wilcox was repeatedly emailed to offer the EPA's perspective on its behavior towards the media. He was asked whether the EPA plans to continue using law enforcement to remove journalists from events, whether it is appropriate for the EPA press team to launch false personal attacks on reporters, and whether Pruitt has specifically directed his press team to undertake these actions. Wilcox has not replied to these inquiries.

Erin Mundahl reported and contributed to this story.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/8/2017 3:06:18 PM

To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: FW: Final Request for Comment

From: Wilcox, Jahan

Sent: Friday, December 8, 2017 10:06 AM

To: 'Shawn McCoy' <shawn@insidesources.com>; Press <Press@epa.gov>; (b) (6) / Personal Privacy; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

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<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

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Sent: Thursday, December 7, 2017 8:10 PM

To: Press < Press@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >; (6) (6) / Personal Privacy ; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

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I would strongly encourage you to please reach out and discuss this with me. I spent a lot of my career working on GOP campaigns. We have a number of mutual friends. I understand some of the pressures you face in your jobs. I would

enjoy the opportunity to discuss this article in greater detail. I'm happy to do so off the record if you would feel more comfortable.

I hope to hear back from you.

All the best, Shawn

Shawn McCoy

Publisher InsideSources.com Phone: 330-207-5893

e-mail: shawn@insidesources.com

Intimidation, Personal Attacks, and Silence: The EPA's Press Strategy Under Pruitt

By Ethan Stoetzler

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Just <u>last week</u>, an InsideSources reporter was escorted by a Story County Sheriff's Deputy out of an EPA event at an Iowa farm in which Administrator Scott Pruitt was the keynote speaker. The reporter received no formal explanation as to why he was being removed. Subsequent attempts by InsideSources to speak with EPA spokesman Jahan Wilcox were left unanswered.

The use of police force to keep events closed to members of the media is not an isolated incident in Pruitt's EPA. Neither is the EPA's silence as to why media is being discouraged from coming to appearances of the administrator.

Back on <u>August 9</u>, Andrew Haffner, of the Grand Forks Herald in North Dakota, reported that two Herald reporters were threatened by Wilcox to leave a Pruitt event at the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND), or else police — whom Wilcox referred to as "security" — would remove them from the premises. Haffner told InsideSources that he had been to the EERC several times before, as his beat for the Herald is education. While the EERC has an independent structure from the university, the center's lobby is open to the public, which is where Haffner stood with a camera, waiting for Pruitt to arrive.

A <u>UND police</u> officer eventually arrived and told Haffner and his co-reporter that the grounds were private property, then demanded they move away from the center's front doors and across the street, where protesters were standing. Both reporters then noticed that Pruitt's motorcade was approaching the center and towards what

Haffner described as a back loading bay. Haffner motioned to his co-worker to make their way to the back to take photos of Pruitt, where they then were stopped by a police vehicle.

According to former EPA Spokeswoman Liz Purchia Gannon, the EPA's strategy of blocking press access to Pruitt is very similar to the strategy employed by the White House communications team under President Trump.

"They're tightly controlling Pruitt's public events and interviews, which isolates him from most Americans and instead plays to Trump's base because that's who they prioritize," Gannon said. "They're not trying to use communications tactics to reach a broad audience."

When Haffner later returned to the press conference following Pruitt's closed roundtable, he was told that the event was still private, though Haffner assured them that he in fact had been invited to this particular portion of the day. Wilcox then approached Haffner, and after an exchange, accused Haffner of cooperating with protesters. Wilcox told Haffner that when he had called his fellow reporter over to take pictures of Pruitt, that Haffner was in fact coordinating protesters.

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The EPA press office now seems to be making a habit of accusatory and personal attacks against journalists. This behavior was exhibited again back in September, following an Associated Press story documenting Hurricane Harvey. Reporters Michael Biesecker and Jason Dearen wrote that the EPA was not present at at least five flooded "so-called" Superfund sites. EPA spokeswoman Liz Bowman responded to the story with personal attacks on Biesecker, calling his reporting "yellow journalism," and accusing him of not even visiting the sites, claiming that he was in Washington, D.C. at the time. Ignored entirely in the EPA's statement was Dearen, who did in fact visit the sites.

Another instance occurred as documented in the <u>Washington Post</u> on October 27. Bowman and Wilcox had an email exchange with New York Times reporter Eric Lipton, in which both Bowman and Wilcox employed media practices that virtually any PR professional would describe as highly unusual. Bowman and Wilcox refused to confirm the title and start date of a senior EPA employee to Lipton. It is standard practice for a federal agency to be able to provide confirmation of this information. Rather, they referred Lipton to reporting from other media outlets. Lipton responded to explain that reporters can avoid making errors by requesting confirmation from a primary source. Wilcox then accused Lipton of trying to steal other reporters' work.

In addition to the EPA's strategies of using police force to remove reporters and attempting to tarnish reporters' credibility, the EPA also employs the strategy of keeping Pruitt's meetings with elected officials and industry leaders private. It's not just keeping his appearances private, however. A source close with media covering the EPA has said that several prominent reporters have been removed from the EPA's press list, effectively cutting them off from the flow of information.

Even when press conferences are scheduled following Pruitt's meetings, Pruitt is usually not featured in them. InsideSources has found over 12 instances in which Pruitt has held closed door meetings with elected officials and invite-only citizens and industry, leaving both reporters and the public without answers as to why they are being neglected.

Gannon said that by not publicizing Pruitt's events, the EPA will be limiting the opportunities for Pruitt to be exposed and for people to protest.

"He doesn't hold press conferences or gaggles when traveling or at events because they leave too much vulnerability," Gannon said, "and open the door for reporters to ask him questions that he doesn't want to talk about."

For example, in a story published on August 2, in the <u>Indianapolis Star</u>, it was reported Pruitt visited Indiana as part of his "State Action Tour" the day prior, meeting with Indiana Governor Eric Holcomb (R), Lt. Gov. Suzanne Crouch and "other state officials," according to a release sent by the EPA press office in the late afternoon. After his visit, Pruitt hosted a roundtable at Mike Starkey Farms in Boonville but "made no effort to also meet with environmental groups like The Hoosier Environmental Council, the Nature Conservancy's Indiana Chapter, the Sierra Club's Hoosier Chapter, Citizens Action Coalition, Conservation Law Center, and the Indiana Water Environmental Association." The story said all were unaware of the visit.

In fact, Pruitt's taxpayer-funded visits often neither include an announcement he is visiting the area or any time actually speaking with the public. On August 4, Pruitt visited the Gold King Mine in Colorado, but did not notify the local newspaper or the public, according to <u>Jesse Aaron Paul</u>, political reporter for the Denver Post. According to Paul's twitter thread, the "EPA refused to acknowledge Administrator Scott Pruitt will be at the Gold King Mine today and then [sent] him on local TV."

Paul tweeted that media was not allowed to attend the Gold King tour with Senators Michael Bennet (D) and Cory Gardner (R), and Colorado Governor John Hickenlooper (R). Paul tweeted that there was to be a town hall in Durango, Colorado, but that the event was announced "about 24 hours before it happened -- and [was] for 45 mins." Paul also tweeted that the EPA sent out a news release the day prior to his tweets showing Pruitt meeting with Colorado farmers. The press was not given prior notice that he was in the state.

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To be fair regarding Pruitt's enhanced security presence, according to CNN, the EPA's inspector general is in the process of investigating more than 70 threats against Pruitt and others at the agency, nearly five times as many as the previous chief, Gina McCarthy, received. The EPA has increased security for Pruitt by "a dozen" agents, whose salaries alone are to cost minimum \$2 million per year. The agents are to give Pruitt 24-hour security, which the inspector general said had never been done for a chief, prior. In that story, Bowman declined to comment on the enhanced security to protect the administrator.

But while enhanced security for the personal protection of Pruitt can be understandable, the EPA is also spending tax dollars on a private sound proof booth for his use. According to a <u>New York Times story</u>, the EPA has signed a \$25,000 contract to build a completely sound proof "privacy booth" to be placed at EPA headquarters. According to the story, the EPA wanted a "secure phone and computer room, essentially for sensitive information."

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Erin Mundahl reported and contributed to this story.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/14/2017 6:31:09 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

I guess. Whatever.

From: Bowman, Liz

Sent: Thursday, December 14, 2017 1:28 PM To: Wilcox, Jahan < wilcox, jahan@epa.gov>

Subject: FW: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

He is still peddling this lie -

From: Sorokin, Nicholas

Sent: Thursday, December 14, 2017 10:32 AM

To: AO OPA OMR CLIPS < AO OPA OMR CLIPS@epa.gov>

Subject: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

Associated Press

https://apnews.com/4895597cb0f64b1ba77b16f1dca7f538/EPA-chemical-safety-nominee-drops-out-amid-strong-opposition

EPA chemical safety nominee drops out amid strong opposition

By Michael Biesecker and Jill Colvin, 12/14/17

WASHINGTON (AP) — President Donald Trump's pick to oversee chemical safety at the Environmental Protection Agency withdrew his nomination Wednesday after bipartisan opposition made his Senate confirmation unlikely.

Officials at the White House and the Senate told The Associated Press that Michael Dourson had sent a letter asking his name to be removed from consideration to serve as head of the EPA's Office of Chemical Safety and Pollution Prevention. The two officials were not authorized to discuss the matter publicly and spoke on condition of anonymity.

North Carolina's two Republican senators, Richard Burr and Thom Tillis, said last month they would vote against Dourson's nomination after The Associated Press and other media outlets detailed his past work as a toxicologist hired to defend major chemical companies.

The Senate's 48 Democrats were united in opposition, meaning only one more GOP defection would be needed to defeat Dourson's nomination.

In his letter asking the president to withdraw his name from consideration, which was obtained by the AP, Dourson said his stepping aside "avoids unnecessarily politicizing the important environmental protection goals of Administrator Pruitt."

"I sincerely and deeply appreciate all the love and support by my family, friends and colleagues during this 'surprising' confirmation process," he went on to say.

Sen. Tom Carper of Delaware, the top Democrat on the Senate Environment and Public Works Committee, said his staunch objections to Dourson's nomination were never a matter of partisanship.

"I sincerely believe he is the wrong person to hold this important position, and it's become clear that, even with a Republican majority in the Senate, he could not be confirmed," Carper said. "Dourson, an individual who has spent most of his career promoting less protective chemical safety standards, had no business overseeing our nation's chemical safety laws."

The EPA's press office did not respond to requests for comment Wednesday evening. Dourson has already been serving at the agency as a senior adviser to EPA administrator Scott Pruitt. It was not immediately clear whether he will continue in that role, which does not require Senate confirmation.

The AP reported in September that Dourson has for years accepted payments for criticizing studies that raised concerns about the safety of his clients' products, according to a review of financial records and his published work.

Past corporate clients of Dourson and of a research group he ran include Dow Chemical Co., Koch Industries Inc. and Chevron Corp. His research has also been underwritten by industry trade and lobbying groups representing the makers of plastics, pesticides, processed foods and cigarettes.

Burr and Tillis, both of whom are considered reliably pro-business conservatives, cited Dourson's past work and worries among their home-state constituents about tainted drinking water in opposing his nomination.

Marine veterans and their families have blamed decades-old contamination of wells at a North Carolina base with solvents and dry-cleaning chemicals for infant deaths and serious health problems, including cancer.

More recently, concerns have been raised about undisclosed discharges of chemicals used to manufacture Teflon and GoreTex into the Cape Fear River, a source of municipal drinking water for Wilmington and other southeastern North Carolina communities.

Dourson worked at the EPA for more than a decade, leaving in 1994 as the manager at a lab that assessed the health risks of exposure to chemicals. The following year, he founded Toxicology Excellence for Risk Assessment, a private, nonprofit organization that tests chemicals and produces reports on which chemicals are hazardous in what quantities.

Dourson's views toward industry are consistent with others Trump has selected as top federal regulators. Among them is Pruitt, who in March overruled the findings of his agency's own scientists to reverse an effort to ban chlorpyrifos, one of the nation's most widely used pesticides.

Court records show Dourson and his work have also often been called on when his corporate clients are seeking to fend off lawsuits.

Dourson's withdrawal was first reported Wednesday by Bloomberg News.

Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/8/2017 4:43:12 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: FOR APPROVAL: Final Request for Comment

I have shared my opinion with you -

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Friday, December 8, 2017 11:26 AM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: FOR APPROVAL: Final Request for Comment

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Friday, December 8, 2017 11:19 AM **To:** Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Cc: Ferguson, Lincoln ferguson.lincoln@epa.gov

Subject: RE: FOR APPROVAL: Final Request for Comment

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Friday, December 8, 2017 11:16 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: FOR APPROVAL: Final Request for Comment

This is what I would like to send back – let me know if you have any edits.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Friday, December 8, 2017 10:06 AM

To: Shawn McCoy <shawn@insidesources.com>; Press <Press@epa.gov>;(b) (6) / Personal Privacy; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

I have left Ethan a voicemail.

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Friday, December 8, 2017 10:03 AM

To: Wilcox, Jahan < wilcox, jahan@epa.gov >; Press < Press@epa.gov >; (b) (6) / Personal Privacy ; Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: RE: Final Request for Comment

Ethan's number: 856-905-3950

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, December 08, 2017 9:24 AM

To: Shawn McCoy <<u>shawn@insidesources.com</u>>; Press <<u>Press@epa.gov</u>>; (b) (6) / Personal Privacy ; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

I just tried to call you.

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Thursday, December 7, 2017 8:10 PM

To: Press < Press@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>; (b) (6) / Personal Privacy; Bowman, Liz

<Bowman.Liz@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Final Request for Comment

Hey all,

The story below is set to publish tomorrow. I will wait until noon to hear back.

If you need it, I would be happy to provide you with additional time to review and respond to the information presented in the article. Just please email or call me, and let me know how much additional time you will need in order to get back to us.

But as I have been trying to get any type of response from the EPA related to this for the past week, I'm guessing you're not planning to respond.

This will be the first of a series of articles we plan to continue reporting on the EPA's media relations. Early next week, we have a full interview with Andrew Haffner that we plan to publish.

I would strongly encourage you to please reach out and discuss this with me. I spent a lot of my career working on GOP campaigns. We have a number of mutual friends. I understand some of the pressures you face in your jobs. I would enjoy the opportunity to discuss this article in greater detail. I'm happy to do so off the record if you would feel more comfortable.

I hope to hear back from you.

All the best, Shawn

Shawn McCoy

Publisher InsideSources.com Phone: 330-207-5893

e-mail: shawn@insidesources.com

Intimidation, Personal Attacks, and Silence: The EPA's Press Strategy Under Pruitt

By Ethan Stoetzler

In the months since Scott Pruitt took over as Administrator of the Environmental Protection Agency, he has dedicated the agency to rolling back regulations, in favor of the production of coal, expanded oil enterprises, and giving more authority of the management of natural resources back to their respective states. No doubt, these issues are often divisive along party lines, just as they were when the Obama administration implemented its agenda. Pruitt has been true to not only his word, but also the positions that Donald Trump advocated as he campaigned for office.

What is unusual about the implementation of Pruitt's agenda has been a strategy implemented by the EPA's press office that seems out of place in American democracy. Since the beginning of Pruitt's tenure, the EPA has been routinely threatening reporters with action by law enforcement, launching false personal attacks on journalists, cutting reporters off of press releases, limiting media access, and displaying an unprecedented level of hostility toward the media.

Just <u>last week</u>, an InsideSources reporter was escorted by a Story County Sheriff's Deputy out of an EPA event at an Iowa farm in which Administrator Scott Pruitt was the keynote speaker. The reporter received no formal explanation as to why he was being removed. Subsequent attempts by InsideSources to speak with EPA spokesman Jahan Wilcox were left unanswered.

The use of police force to keep events closed to members of the media is not an isolated incident in Pruitt's EPA. Neither is the EPA's silence as to why media is being discouraged from coming to appearances of the administrator.

Back on <u>August 9</u>, Andrew Haffner, of the Grand Forks Herald in North Dakota, reported that two Herald reporters were threatened by Wilcox to leave a Pruitt event at the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND), or else police — whom Wilcox referred to as "security" — would remove them from the premises. Haffner told InsideSources that he had been to the EERC several times before, as his beat for the Herald is education. While the EERC has an independent structure from the university, the center's lobby is open to the public, which is where Haffner stood with a camera, waiting for Pruitt to arrive.

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According to former EPA Spokeswoman Liz Purchia Gannon, the EPA's strategy of blocking press access to Pruitt is very similar to the strategy employed by the White House communications team under President Trump.

"They're tightly controlling Pruitt's public events and interviews, which isolates him from most Americans and instead plays to Trump's base because that's who they prioritize," Gannon said. "They're not trying to use communications tactics to reach a broad audience."

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"He was insinuating I was in fact trying to set up a bit of a stunt with the protesters, which was honestly not the case," Haffner said.

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Erin Mundahl reported and contributed to this story.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/14/2017 7:31:56 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Washington Post: EPA mum on whether failed Trump nominee is still on the job, 12/14/17

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Thursday, December 14, 2017 2:30 PM **To:** Wilcox, Jahan wilcox.jahan@epa.gov

Subject: FW: Washington Post: EPA mum on whether failed Trump nominee is still on the job, 12/14/17

Deliberative Process / Ex. 5

From: Sorokin, Nicholas

Sent: Thursday, December 14, 2017 2:22 PM

To: AO OPA OMR CLIPS < AO OPA OMR CLIPS@epa.gov>

Subject: Washington Post: EPA mum on whether failed Trump nominee is still on the job, 12/14/17

Washington Post

https://www.washingtonpost.com/politics/whitehouse/epa-mum-on-whether-failed-trump-nominee-is-still-on-the-job/2017/12/14/29b9e2c4-e0f6-11e7-b2e9-8c636f076c76_story.html?utm_term=.0452dcbafacb

EPA mum on whether failed Trump nominee is still on the job

By Michael Biesecker and Jill Colvin, Associated Press, 12/14/17

WASHINGTON — The Environmental Protection Agency is refusing to say whether President Donald Trump's failed pick to oversee chemical safety will continue to work there as a senior adviser, a role that doesn't require Senate confirmation.

Michael L. Dourson withdrew his nomination Wednesday to serve as head of the EPA's Office of Chemical Safety and Pollution Prevention amid bipartisan opposition in the Senate.

Dourson has been working at EPA for at least two months as a senior adviser to EPA Administrator Scott Pruitt, an arrangement Democrats have said could be illegal without Senate confirmation.

EPA did not respond Wednesday or Thursday to inquiries about Dourson's current employment status at the agency.

The agency has also refused to disclose Dourson's taxpayer-funded salary. Other senior advisers to Pruitt are paid more than \$170,000 annually.

Nicholas Sorokin Office of Media Relations Intern U.S. Environmental Protection Agency

Telephone: (202) 564-5334 sorokin.nicholas@epa.gov

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/17/2018 9:10:33 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Feldman, Carole

[CFeldman@ap.org]

CC: Press [Press@epa.gov]

Subject: RE: Administrator Pruitt's trip to Japan

If you're looking for an on-the-record answer to your question, Pruitt answers that question in his last paragraph.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 4:07 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Feldman, Carole

<CFeldman@ap.org>
Cc: Press <Press@epa.gov>

Subject: RE: Administrator Pruitt's trip to Japan

Jahan,

Is there something specific you are seeking to outpoint in the WSJ piece? Do you intend to provide direct comment to AP on the questions below?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Wednesday, January 17, 2018 4:02 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Feldman, Carole

<<u>CFeldman@ap.org</u>>
Cc: Press <Press@epa.gov>

Subject: RE: Administrator Pruitt's trip to Japan

https://www.wsj.com/articles/scott-pruitt-aims-to-accelerate-his-efforts-to-remake-the-epa-1516220866

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 12:40 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >; Feldman, Carole

<<u>CFeldman@ap.org</u>>

Cc: Press < Press@epa.gov>

Subject: RE: Administrator Pruitt's trip to Japan

Also, can you provide any on-the-record comment on whether the administrator has any ambitions for future positions beyond EPA, whether US Attorney General or the US Senate from Oklahoma?

From: Biesecker, Michael

Sent: Wednesday, January 17, 2018 12:06 PM

To: 'Wilcox, Jahan' <wilcox, jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Feldman, Carole

<<u>CFeldman@ap.org</u>> **Cc:** Press <Press@epa.gov>

Subject: RE: Administrator Pruitt's trip to Japan

They are posted on that site only after they occur. The most recent currently there is Jan. 7.

Is this the only comment EPA plans to provide in advance of the Japan trip? Is so, can you provide a reason for the no comment? In the past you all have cited security concerns.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, January 17, 2018 11:57 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Bowman, Liz < Bowman.Liz@epa.gov>; Feldman, Carole

<<u>CFeldman@ap.org</u>> **Cc:** Press <<u>Press@epa.gov</u>>

Subject: RE: Administrator Pruitt's trip to Japan

"Every meeting that Administrator Pruitt attends is posted on https://www.epa.gov." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 11:51 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov>

Subject: Administrator Pruitt's trip to Japan

Liz, Jahan,

AP is planning to report about Administrator Pruitt's trip to Japan next week, citing officials both inside EPA and within the Japanese Foreign Ministry. Can you provide any comment or details about the planned agenda for the trip and who he plans to meet with?

Japan is a major importer of Liquefied Natural Gas, on which it has become more dependent since the Fukushima disaster. Boosting LNG experts was one of the reasons EPA cited for the Morocco trip last month.

Also, Pruitt's calendar shows meetings with LNG pipeline and export owner Kinder Morgan two days before leaving for last month's trip. Can you comment on whether LNG exports to Morocco, Japan or other countries was discussed?

Pruitt's calendar also shows a Dec. 8 meeting with Inspector General Arthur Elkins, whose office announced earlier this month it was expanding an already ongoing probe to include Pruitt's travel expenses through the end of 2017. Please provide comment on whether the two men discussed the administrator's travel during that meeting?

Our information is that the Japan trip will include a contingent of a half dozen aides and cost more than \$43,000, not including security. That is more than twice the size and cost of a similar trip taken by EPA Administrator Gina McCarthy in 2015.

Our understanding is that Pruitt's airline ticket cost more than \$10,300, which corresponds to the cost of a Business Class seat and is more than three times what McCarthy's 2015 ticket cost. Can you comment on why Administrator Pruitt utilizes premium class airfare when he travels.

A	prom	pt res	ponse	is	apı	preciated.
	P . C	90.00	00		~~	

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/17/2018 9:36:23 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: House Superfund hearing tomorrow Attachments: 1.18.18 Witness Invitation Breen.pdf

"The House Committee on Energy and Commerce requested a witness for this hearing and EPA offered Principal Deputy Assistant Administrator Barry Breen from the Office of Land and Emergency Management, which oversees the CERCLA program." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 4:32 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: House Superfund hearing tomorrow

Jahan,

Again, the question was: Can you provide Kell Kelly is unable to represent the agency at the oversight hearing?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Wednesday, January 17, 2018 3:41 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: House Superfund hearing tomorrow

"The House Committee on Energy and Commerce requested a witness for this hearing and EPA offered Principal Deputy Assistant Administrator Barry Breen from the Office of Land and Emergency Management, which oversees the CERCLA program." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, January 17, 2018 3:18 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: House Superfund hearing tomorrow

Liz, Jahan,

Members of the House Energy and Commerce Committee say that Kell Kelly had been set to testify tomorrow as part of an oversight hearing Modernizing the Superfund Program. Last week, the committee received word from EPA that Kelly had an unavoidable schedule conflict. Can you guys provide anything about why he is unable to be there?

Thanks,

Michael



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Michael Biesecker Reporter

mbiesecker@ap.org
Twitter: @mbieseck

Public Key

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/18/2017 5:41:24 PM

To: Pace, Julie [JPace@ap.org]; Biesecker, Michael [MBiesecker@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Julie and Michael -

One more quote ...

"A similar security sweep was done for EPA Administrator Lisa Jackson." — EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 12:29 PM

To: 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

<u>Public Key</u>

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/11/2017 8:24:14 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]

Subject: RE: Pruitt in Paris/Morocco

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/18/2018 5:03:47 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

CC: Press [Press@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]

Subject: RE: Breen testimony before Energy and Commerce

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 12:02 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael

AP

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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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M Fy 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/18/2018 7:33:46 PM

To: Falvo, Nicholas [falvo.nicholas@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell,

Kelsi [daniell.kelsi@epa.gov]

Subject: FW: Breen testimony before Energy and Commerce

This is all we will say.

From: Wilcox, Jahan

Sent: Thursday, January 18, 2018 2:32 PM

To: Feldman, Carole <CFeldman@ap.org>; 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Breen testimony before Energy and Commerce

Michael, you are making deliberately false claims about our website. All the content from the previous administration is still easily accessible and publicly available-through the banner at the top of www.epa.gov. Nice try.

 "Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, January 18, 2018 1:47 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < <u>Press@epa.gov</u>>; Kelly, Albert < <u>kelly.albert@epa.gov</u>> **Subject:** RE: Breen testimony before Energy and Commerce

In addition, Breen testified that climate change poses a significant risk to Superfund sites and the "We have to respond to climate change, that's just part of our mission set." Further, Breen said the agency needs to account for the expected impacts of climate change in its planning for Superfund cleanups.

The Superfund Task Force report released last summer makes no mention of climate change or the risks posed by storm-induced flooding or sea level rise. Since last January, the agency has also removed policies from its website relating to climate change adaptation, including the 2014 plan specifically geared toward addressing the risks at Superfund sites.

Does the agency's top-level administration, including Administrator Pruitt and Superfund Task Force leader Kell Kelly agree with Breen's testimony? If so, what specific actions is EPA taking to help mitigate the risks to Superfund sites posed by the changing climate.

From: Biesecker, Michael

Sent: Thursday, January 18, 2018 12:02 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov >; 'kelly.albert@epa.gov' < kelly.albert@epa.gov >

Subject: Breen testimony before Energy and Commerce

Liz, Jahan,

Not sure if you guys are monitoring the testimony of Barry Breen today, but he was asked about Kell Kelly being barred from the banking industry by the FDIC. He responded that the Kelly had elected to settle the case against him and "He is fully willing to discuss this matter."

Would he be willing to discuss it with AP? If not, can EPA provide a summary on his behalf of what let the FDIC to enter its decision against him, leading to his forced resignation from the management of Oklahoma-based SpiritBank?

Thanks,

Michael



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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/13/2017 4:35:53 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]

Subject: FW: Pruitt in Paris/Morocco

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 12, 2017 12:34 PM
To: Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 12:09 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >; Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

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Michael

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 12/13/2017 6:00:29 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Got it.

From: Jackson, Ryan

Sent: Wednesday, December 13, 2017 12:59 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 11:53 AM

To: Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00186124-00001

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks.

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, December 12, 2017 12:34 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 12:09 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >; Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:04:11 PM

To: Strassel, Kim [kim.strassel@wsj.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:04:27 PM
To: jillian.melchior@wsj.com

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:04:38 PM

To: Puko, Tim [tim.puko@wsj.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:04:49 PM

To: Stokols, Eli [eli.stokols@wsj.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:05:09 PM

To: Haberman, Maggie [maggie.haberman@nytimes.com]; Maggie Haberman Ex. 6

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:05:59 PM

To: Robin Bravender [rbravender@eenews.net]

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Sent: 1/23/2018 5:06:34 PM

To: Alex Guillen [aguillen@politico.com]; Annie Snider [asnider@politico.com]; Emily Holden [eholden@politico.com];

Andrew Restuccia [arestuccia@politico.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:07:05 PM

To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]; Carignan, Sylvia [scarignan@bloombergenvironment.com]

CC: Abboud, Michael [abboud.michael@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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https://www.washingtonpost.com/national/health-science/

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:07:25 PM **To**: bret.baier@foxnews.com

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Sent: 1/23/2018 5:07:37 PM

To: Roberts, John [John.roberts@FOXNEWS.COM]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:07:52 PM

To: Alemany, Jacqueline [AlemanyJ@cbsnews.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:08:09 PM

To: Garrett, Major [GarrettM@cbsnews.com]

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:08:27 PM

To: Ebbs, Stephanie [Stephanie.Ebbs@abc.com]; Klein, Rick [Rick.Klein@abc.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Juliet Eilperin & Dennis Brady
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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:09:13 PM

To: lachlan.markay@thedailybeast.com
CC: Hewitt, James [hewitt.james@epa.gov]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:09:25 PM

To: Betsy Woodruff Ex. 6

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:09:38 PM

To: Amy Harder [amy@axios.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:09:53 PM

To: Jonathan Swan [jonathan@axios.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:10:29 PM

To: Miranda Green [mgreen@thehill.com]; Timothy Cama [tcama@thehill.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:10:45 PM

To: Jackie Toth [jackietoth@cqrollcall.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:10:55 PM

To: Rafferty, Andrew (NBCUniversal) [Andrew.Rafferty@nbcuni.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:11:39 PM

To: Jackson, Hallie (NBCUniversal) [Hallie.Jackson@nbcuni.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:12:14 PM

To: Halper, Evan [Evan.Halper@latimes.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:12:37 PM

To: Krehbiel, Randy (Randall) [Randy.Krehbiel@tulsaworld.com]; Greene, Wayne (Lewis)

[Wayne.Greene@tulsaworld.com]

CC: Ferguson, Lincoln [ferguson.lincoln@epa.gov]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:13:06 PM

To: Justin Wingerter [JWingerter@oklahoman.com]
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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:13:20 PM
To: Ex. 6

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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The Washington Post
Juliet Eilperin & Dennis Brady
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https://www.washingtonpost.com/national/health-science/

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:15:30 PM **To**: tips@hotair.com

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:15:43 PM To: Ex. 6

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:15:52 PM **To**: David.Brody@cbn.org

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:16:08 PM

To: Elizabeth Harrington [elizabeth@freebeacon.com]

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The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:16:32 PM

To: Jeff Bechdel [jbechdel@ntknetwork.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:18:23 PM

To: Michael Bastasch [mike@dailycallernewsfoundation.org]

CC: Hewitt, James [hewitt.james@epa.gov]

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Sent: 1/23/2018 5:22:01 PM

To: John Siciliano [jsiciliano@washingtonexaminer.com]; Josh Siegel [jsiegel@washingtonexaminer.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:22:31 PM

To: Philip Wegmann [pwegmann@washingtonexaminer.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:22:44 PM

To: bwolfgang@washingtontimes.com

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:22:59 PM

To: Hohmann, James [James.Hohmann@washpost.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:23:51 PM

To: Marcotty, Josephine [Josephine.Marcotty@startribune.com]

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:24:23 PM
To: tgillman@dallasnews.com

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:24:36 PM

To: alivingston@texastribune.com

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:25:40 PM

To: Worland, Justin - Time Magazine < Justin.Worland@time.com > [Justin.Worland@time.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Juliet Eilperin & Dennis Brady
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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:26:58 PM To: Ex. 6

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The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:27:09 PM

To: Ex. 6

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

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The Washington Post Juliet Eilperin & Dennis Brady January 23, 2018

https://www.washingtonpost.com/national/health-science/

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Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry."

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Pruitt gave no ground in a recent interview with The Washington Post. "The [companies] are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than \$1 billion and take 13 years to complete.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 5:27:30 PM

To: Cameron Joseph [cameron@talkingpointsmemo.com]

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 7:21:09 PM

To: Biesecker, Michael [MBiesecker@ap.org]

Subject: RE: Dourson's departure

Here is the research to back-up my statement regarding his work.

Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology, the Academy of Toxicological Sciences, and the Society for Risk Analysis. "President Donald J. Trump announced his intention to nominate Dr. Michael Dourson of Ohio to be head EPA's chemical and pesticides office. Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine. He founded the nonprofit Toxicology Excellence for Risk Assessment and worked at the U.S. Environmental Protection Agency, where he won four medals. Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation. In addition, to serving on numerous government panels, he is also a member on the editorial board of three toxicology journals." (EPA Press Release, 07/17/17)

Dr. Michael Dourson founded the nonprofit risk organization called Toxicology Excellence for Risk Assessment. "The nonprofit risk organization that Dr. Michael Dourson founded, Toxicology Excellence for Risk Assessment - TERA, has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Sixty-seven percent of Dr. Dourson's peer reviewed publications was sponsored by government or self-sponsored. TERA, an independent non-profit organization, does work to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work. An additional ten to twenty percent of TERA's effort is pro bono. Dr. Dourson testified as a scientific expert on three different occasions for plaintiffs suing industry about the devastating health effects that could occur from exposures to TCE, hydrogen sulfide and pesticides."

Dourson Helped 130 Bay Area Families Reach A Settle Due To Pollution Committed By A Railroad Company. "My experience with Dr. Dourson dates back a few years when I was pursuing a lawsuit in California. In my case, 130 homes in an area outside the San Francisco were affected by TCE from a nearby rail line. When I began looking for an expert witness, I was quickly referred to Dr. Dourson as having the necessary background and experience in this area through his prior experience, as well as his work at the University of Cincinnati and through his non-profit organization, TERA. In my case, and for the 130 homeowners and families involved, Dr. Douson, provided necessary expert testimony demonstrating the risks and effects of TCE contamination to the properties involved and their occupants. Dr. Dourson's work resulted in significant settlements with the railroad and related property owners due to the risk inherent in exposure to the TCE vapors." (Richard Bowles, Letter To Senate EPW Committee, 11/07/17)

According to Cincinnati's ABC Affiliate, Dourson's pro-bono found the mystery of what was killing animals, sickening children on a property outside of Cincinnati. https://www.youtube.com/watch?v=epwdtcl- Zmk&feature=youtu.be

Additional Information ...

National Institutes of Health (NIH), International Toxicity Estimates for Risk (ITER): https://toxnet.nlm.nih.gov/newtoxnet/iter.htm

University of Cincinnati Risk Science Center: https://med.uc.edu/eh/centers/rsc
Alliance for Risk Assessment: https://med.uc.edu/eh/centers/rsc/risk-resources/ara

Occupational Alliance for Risk Science: https://med.uc.edu/eh/centers/rsc/risk-resources/oars

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, January 23, 2018 2:18 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Dourson's departure

Thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, January 23, 2018 2:11 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < <u>Press@epa.gov</u>> **Subject:** RE: Dourson's departure

"Dr. Michael Dourson is a highly qualified scientist who worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, and performed pro-bono work that saved a family near Cincinnati - in addition, his expertise on TCE helped 130 families near San Francisco. We wish him continued success in his future endeavors." EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, January 23, 2018 1:54 PM **To:** Wilcox, Jahan < wilcox, jahan@epa.gov>

Cc: Press < <u>Press@epa.gov</u>> **Subject:** Dourson's departure

Jahan,

Please provide comment on Michael Dourson's departure from EPA.

Thanks,

Michael

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you. The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/23/2018 8:28:31 PM

To: Biesecker, Michael [MBiesecker@ap.org]

Subject: RE: Dourson's departure

In regards to your other questions, encourage you to fill out a FOIA request.

Here's our statement: "Dr. Michael Dourson is a highly qualified scientist who worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, and performed pro-bono work that saved a family near Cincinnati - in addition, his expertise on TCE helped 130 families near San Francisco. We wish him continued success in his future endeavors." EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, January 23, 2018 3:24 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Dourson's departure

Also, what's his annual salary as a senior advisor?

From: Biesecker, Michael

Sent: Tuesday, January 23, 2018 2:50 PM **To:** 'Wilcox, Jahan' < <u>wilcox.jahan@epa.gov</u>>

Subject: RE: Dourson's departure

What date was he no longer employed at EPA?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, January 23, 2018 2:11 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < Press@epa.gov > Subject: RE: Dourson's departure

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 1/30/2018 5:42:06 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: RE: RELEASE: Whitehouse to Press Pruitt on Bashing of Trump

"After meeting him, and now having the honor of working for him, it is abundantly clear that President Trump is the most consequential leader of our time. No one has done more to advance the rule of law than President Trump. The President has liberated our country from the political class and given America back to the people." - Administrator Scott Pruitt

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, January 30, 2018 11:34 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: RELEASE: Whitehouse to Press Pruitt on Bashing of Trump

Any further comment on this from the agency on Pruitt's behalf?

From: Davidson, Richard (Whitehouse) [mailto:Richard Davidson@whitehouse.senate.gov]

Sent: Tuesday, January 30, 2018 10:46 AM

To: Davidson, Richard (Whitehouse) < Richard Davidson@whitehouse.senate.gov >

Subject: RELEASE: Whitehouse to Press Pruitt on Bashing of Trump

FOR IMMEDIATE RELEASE January 30, 2018

Contact: Rich Davidson (202) 228-6291 (press office)

Whitehouse to Press Pruitt on Bashing of Trump

Pruitt: 'I believe that Donald Trump in the White House would be more abusive to the Constitution than Barack Obama – and that's saying a lot'

Watchdog group Documented releases audio of Pruitt agreeing Trump is a bully

AUDIO AVAILABLE HERE

Washington, DC – During a Senate Environment and Public Works (EPW) Committee hearing today, Senator Sheldon Whitehouse (D-RI) will press EPA Administrator Scott Pruitt on newly released and scathing comments about then-candidate Donald Trump during an interview with Oklahoma talk radio host Pat Campbell in 2016. During the interview, Pruitt said Trump would be "more abusive to the Constitution than Barack Obama," and agreed Trump is "dangerous" and a "bully" who would wield executive power as "a blunt instrument." Whitehouse was alerted to the comments by the watchdog group Documented, which released audio of the interview this morning.

Audio of Pruitt's comments is available on Documented's website. A transcript is below.

A livestream of the EPW hearing is accessible here.

Pat Campbell Show Transcript February 4, 2016 KFAQ, Tulsa OK

Campbell: Given your comments about hubris, I'm going to say that you're probably not a big Trump supporter?

Pruitt: No. No, He's the very...and you say that Pat but do you know what's interesting? I believe that Donald Trump in the White House would be more abusive to the Constitution than Barack Obama – and that's saying a lot.

Campbell: Wow. That's a news clip.

Pruitt: I really believe he would use a blunt instrument. This president at least tries to nuance his unlawfulness.

Campbell: Right.

Pruitt: Donald Trump has said many, many times they want... I'll do this I'll do that. And those things that he's mentioned cannot be done. I think executive orders with Donald Trump would be a very blunt instrument with respect to the Constitution.

Campbell: So this is amazing because, coming from you, as the state Attorney General, and obviously the credibility you've got with our audience – you're echoing basically what Glenn Beck has been saying for months. Everything that we loathe and detest about Barack Obama and the abuses of power, Donald Trump is the same thing except he's our bully.

Pruitt: That's right.

Campbell: And even with the executive orders because Ted Cruz has promised on day one he's going to overturn every executive order that Barack Obama's done and so has Donald Trump, however, when confronted by a reporter who said, does that mean you don't believe in executive orders? Oh no, I'll use them, but mine will be good ones.

Pruitt: And unapologetically. I mean, this president – I've been in DC the last couple of days. I was at the Reagan Library over the weekend, as I was sharing with you, speaking about federalism principles to the Federalist Society. This president has basically taken an approach that says that if Congress doesn't act or they don't act the way that I want them to, then I can act in their place.

Campbell: Right.

Pruitt: Well, that's just not how our system works. This, if Donald Trump is the nominee and eventually the president, he would take, I think unapologetic steps, to use executive power to confront Congress in a way that is truly unconstitutional.

Campbell: It's funny because I had a conversation with my dad not long ago, and my dad is an immigrant. He came here as a young child after World War II. And he doesn't – he's not real long-winded, like me. He summed up Donald Trump in one word. He said: he's dangerous.

Pruitt: You know, your dad is very astute because I'll say to you – I think he has tendencies that we see in emerging countries around the world where – he goes to the disaffected – those individuals. And says, look you give me power and I will give voice to your concerns. And that's a dangerous place to be. And rule of law today – this president has done more to injure rule of law – he owes President Nixon an apology with respect to the

use of executive power. But President Obama, we don't need to replace him with another individual – as you said, our bully – in the White House, to do what he's done from the Republican side of things.

###

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 2/7/2018 6:13:11 PM

To: Bolen, Brittany [bolen.brittany@epa.gov]

Thanks Bolen for your great work about snows on Kilimanjaro.

From: Wilcox, Jahan

Sent: Wednesday, February 7, 2018 12:04 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt's suggestion global warming could be a good thing

Michael -

Yes, he made that statement in his interview with The New York Times.

https://www.nytimes.com/2018/02/02/podcasts/the-daily/scott-pruitt-epa.html

Here is our statement: "In 2006, Al Gore said there would be 'no more snows of Kilimanjaro'; we now know that prediction was inaccurate. As Administrator Pruitt told *The New York Times*, 'the debate about the impact of Co2 is important for us to wrestle with as a country' – underscoring the need for a robust, transparent discussion about climate change." – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Al Gore's Claim About the Snow on Mount Kilimanjaro. "Al Gore has made the disappearing snows of Mount Kilimanjaro a cornerstone of his crusade against global warming. In his film 'An Inconvenient Truth' for example, he says: 'Within the decade, there will be no more snows of Kilimanjaro.'" (Fox News, 06/13/17)

Jahan Wilcox

EPA

Cell: Ex. 6

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, February 7, 2018 11:21 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Pruitt's suggestion global warming could be a good thing

Liz, Jahan,

AP will be fact checking Administrator Pruitt's suggestion that a warming climate could be positive for humanity, that the amount of warming attributable to man can't be measured with precision, and that it's "arrogant" to believe we should know what surface temperatures should be in the year 2100.

Can EPA provide any scientific studies or other sources to back up the administrator's claims?

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

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T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 2/8/2018 3:32:26 PM

To: Feldman, Carole [CFeldman@ap.org]

Subject: RE: Hey Carol -

To report that we just forwarded you a story from Fox News was misleading as we did send you a statement, but it's not the end of the world. Moving forward I will do my best to keep the names of other news outlets out of our statements, but if we answer a question in an interview, committee hearing or somewhere that is in the public domain we will refer you to those remarks.

If you want to chat I can give you a call but we're good and will do my best not mention other news outlets in our statements.

Have a great day!

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell: **Ex. 6**

Work Email: wilcox.jahan@epa.gov

From: Feldman, Carole [mailto:CFeldman@ap.org] **Sent:** Wednesday, February 7, 2018 9:42 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Hey Carol -

Hi Jahan,

It would be helpful if you provided comment that didn't refer us back to other news organizations.

Can we talk about this tomorrow?

Carole

Sent from my iPad

On Feb 7, 2018, at 8:45 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

The statement you provided did not address or provide support for the statements Administrator Pruitt made on Tuesday that I asked you about. Had you provided comment, data or references that were on point, we would have included them.

Michael

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From: Wilcox, Jahan < wilcox.jahan@epa.gov > Sent: Wednesday, February 7, 2018 7:19:50 PM

To: Feldman, Carole; Biesecker, Michael

Cc: Bowman, Liz Subject: Hey Carol -

It's unclear why the AP couldn't use the comment that we provided to them.

Sometimes I wonder why we even bother to respond when it's clear the AP will only use statements that align with their agenda.

Jahan

https://www.google.com/amp/abcnews.go.com/amp/Politics/wireStory/ap-fact-check-epa-chief-sees-good-warming-52916423

On Feb 7, 2018, at 12:09 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

Thanks for this, though it does not address the question I asked. What data or scientific report is Administrator Pruitt relying on for his statements made yesterday that a warming climate could be positive for humanity, that the amount of warming attributable to man can't be measured with precision, and that it's "arrogant" to believe we should know what surface temperatures should be in the year 2100.

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, February 07, 2018 12:04 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov > Subject: RE: Pruitt's suggestion global warming could be a good thing

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Yes, he made that statement in his interview with *The New York Times*.

 https://www.nytimes.com/2018/02/02/podcasts/the-daily/scottpruitt-epa.html

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Al Gore's Claim About the Snow on Mount Kilimanjaro. "Al Gore has made the disappearing snows of Mount Kilimanjaro a cornerstone of his crusade against global warming. In his film 'An Inconvenient Truth' for example, he says: 'Within the decade, there will be no more snows of Kilimanjaro.'" (Fox News, 06/13/17)

Jahar	า Wilcox
EPA	
Cell:	Ex. 6

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To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < <u>Press@epa.gov</u>>

Subject: Pruitt's suggestion global warming could be a good thing

Liz, Jahan,

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Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker Reporter

mbiesecker@ap.org Twitter: @mbieseck

i witter. @iiibieseti

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 2/13/2018 10:52:04 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Press [Press@epa.gov]

Subject: RE: EPA 5-year strategic plan and climate change

Just saw we had an approved statement, was cleaning out my inbox.

Here you go: "As stated in the FY 2018-FY 2022 Strategic Plan, the Agency will focus on three strategic goals to protect human health and the environment. The proposed FY 2019 budget will help support these goals of focusing on the core mission of EPA, engaging in cooperative federalism with our state and local partners, and following rule of law and process. Taken together, these goals are designed to transform the way the Agency does business and more efficiently and effectively delivers human health and environmental results." EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, February 13, 2018 5:46 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov>

Subject: RE: EPA 5-year strategic plan and climate change

Should AP report then that the agency declined to comment today on the absence of the words "climate change" or "global warming" in the agency's 5-year plan?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, February 13, 2018 5:40 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov>

Subject: RE: EPA 5-year strategic plan and climate change

Michael -

We gave you an on-the-record statement regarding your inquiry on Pruitt's interview in Nevada, which you didn't use.

We gave you an on-the-record statement yesterday regarding staffing that you didn't use.

Thanks for reaching out.

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, February 13, 2018 5:15 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Press < Press@epa.gov >

Subject: RE: EPA 5-year strategic plan and climate change

Still hoping for a response on this.

From: Biesecker, Michael

Sent: Tuesday, February 13, 2018 3:44 PM

To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Press <Press@epa.gov>

Subject: EPA 5-year strategic plan and climate change

Jahan,

AP is following up on the White House budget proposal from yesterday by looking at efforts across the federal government to cut funding for studying and tracking climate change while boosting fossil fuels.

Among the details the story will note is the absence of the terms "climate change" and "global warming" from EPA's 47page strategic plan for the next five years.

Please provide on-the-record comment on why the nation's primary agency for protecting the environment and human health would choose to completely deemphize this issue.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org

Twitter: @mbieseck

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From: Feldman, Carole [CFeldman@ap.org]

Sent: 2/8/2018 3:54:04 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Hey Carol -

Jahan,

Thank you for this.

If I have questions about your responses going forward, will be in touch with phone call.

Carole

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Thursday, February 08, 2018 10:32 AM **To:** Feldman, Carole < CFeldman@ap.org>

Subject: RE: Hey Carol -

To report that we just forwarded you a story from Fox News was misleading as we did send you a statement, but it's not the end of the world. Moving forward I will do my best to keep the names of other news outlets out of our statements, but if we answer a question in an interview, committee hearing or somewhere that is in the public domain we will refer you to those remarks.

If you want to chat I can give you a call but we're good and will do my best not mention other news outlets in our statements.

Have a great day!

Jahan Wilcox

EPA

Strategic Communications Advisor

Work Cell: Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Feldman, Carole [mailto:CFeldman@ap.org]
Sent: Wednesday, February 7, 2018 9:42 PM
To: Biesecker, Michael <MBiesecker@ap.org>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Hey Carol -

Hi Jahan,

It would be helpful if you provided comment that didn't refer us back to other news organizations.

Can we talk about this tomorrow?

Carole

Sent from my iPad

On Feb 7, 2018, at 8:45 PM, Biesecker, Michael < MBiesecker@ap.org > wrote:

Jahan,

The statement you provided did not address or provide support for the statements Administrator Pruitt made on Tuesday that I asked you about. Had you provided comment, data or references that were on point, we would have included them.

Michael

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From: Wilcox, Jahan < wilcox.jahan@epa.gov > Sent: Wednesday, February 7, 2018 7:19:50 PM

To: Feldman, Carole; Biesecker, Michael

Cc: Bowman, Liz **Subject:** Hey Carol -

It's unclear why the AP couldn't use the comment that we provided to them.

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Jahan

https://www.google.com/amp/abcnews.go.com/amp/Politics/wireStory/ap-fact-check-epa-chief-sees-good-warming-52916423

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Michael

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Sent: Wednesday, February 07, 2018 12:04 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < <u>Press@epa.gov</u>>; Bowman, Liz < <u>Bowman.Liz@epa.gov</u>> **Subject:** RE: Pruitt's suggestion global warming could be a good thing

Michael -

Yes, he made that statement in his interview with The New York Times.

 https://www.nytimes.com/2018/02/02/podcasts/the-daily/scottpruitt-epa.html Here is our statement: "In 2006, Al Gore said there would be 'no more snows of Kilimanjaro'; we now know that prediction was inaccurate. As Administrator Pruitt told The New York Times, 'the debate about the impact of Co2 is important for us to wrestle with as a country' – underscoring the need for a robust, transparent discussion about climate change." – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Al Gore's Claim About the Snow on Mount Kilimanjaro. "Al Gore has made the disappearing snows of Mount Kilimanjaro a cornerstone of his crusade against global warming. In his film 'An Inconvenient Truth' for example, he says: 'Within the decade, there will be no more snows of Kilimanjaro.'" (Fox News, 06/13/17)

Jaha	n Wilcox
EPA	
Cell:	Ex. 6

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, February 7, 2018 11:21 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov >

Subject: Pruitt's suggestion global warming could be a good thing

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Can EPA provide any scientific studies or other sources to back up the administrator's claims?

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/2/2018 12:47:03 PM

To: Biesecker, Michael [MBiesecker@ap.org]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]

Subject: RE: Pruitt condo

Attachments: Evaluation of Lease Agreement2018-03-30-152600.pdf

See attachment along with the two statements below.

"As EPA career ethics officials stated in a memo, Administrator Pruitt's housing arrangement for both himself and family was not a gift and the lease was consistent with federal ethics regulations." – EPA spokesman, Jahan Wilcox

"I don't conclude that this is a prohibited gift at all. It was a routine business transaction and permissible even if from a personal friend." - EPA Career Senior Counsel for Ethics, Justina Fugh (03/29/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Sunday, April 1, 2018 7:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>

Subject: Re: Pruitt condo

Jahan,

Please provide on-the-record responses to the following

- 1) On what basis is EPA determining that \$1,500 a month is a market rate for a two bedroom in that neighborhood?
- 2) Since Administrator Pruitt was only paying for nights he occupied the unit, did his actual payments total \$1,500 for any of the months included in the six month rental period?
- 3) Did Administrator Pruitt or his daughter make additional payments to cover her use of the second bedroom?
- 4) Did EPA pay for the use of the downstairs unit in the building by the administrator's security detail, or was that also covered by Pruitt's \$50 a night?
- 5) Did EPA pay for security enhancements to the property (Electronic locks on doors, surveillance camera on the front of the building, etc.)?
- 6) What was the cost of the door and installation after the March 2017 incident where Pruitt's security detail busted into the unit?
- 7) It does not appear the units at 223 C St have been publicly advertised for rent since the property last sold 5 years ago. How did Administrator Pruitt come to rent the property from the Harts? Did they offer it to him, or did he ask them?

Thanks,
MIchael

Thanks,

MIchael

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From: Wilcox, Jahan < wilcox.jahan@epa.gov > Sent: Friday, March 30, 2018 6:13:44 PM

To: Biesecker, Michael; Pace, Julie; Feldman, Carole

Cc: Bowman, Liz; Press **Subject:** RE: Pruitt condo

Wanted to make sure you saw the attached memo and statement from EPA:

"As EPA career ethics officials stated in a memo, Administrator Pruitt's housing arrangement for both himself and family was not a gift and the lease was consistent with federal ethics regulations." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, March 30, 2018 1:02 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Pruitt condo

Seeking comment once again, including on whether the administrator's daughter was staying in the second room.

From: Biesecker, Michael

Sent: Thursday, March 29, 2018 3:57 PM

To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Subject: RE: Pruitt condo

Checking back on this.

From: Biesecker, Michael

Sent: Thursday, March 29, 2018 1:55 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: Pruitt condo

Liz, Jahan,

AP will be reporting on administrator Pruitt's occupancy of the condo at 223 C St. NE in Capitol Hill and who owns that property. Can you provide any comment on Pruitt's relationship with the Harts and how he came to live at their property? Also, does he pay a market-rate rent?

This issue is going to receive a high level of scrutiny. I would urge you to provide on the-record comment.

Happy to talk by phone if that is your preference,

Michael



Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Kevin Bogardus [kbogardus@eenews.net]

Sent: 1/23/2018 5:10:36 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: At Superfund sites, Scott Pruitt could flip his industry-friendly script

Interesting. Thanks Jahan. I will take a look.

-Kevin

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, January 23, 2018 12:06 PM **To:** Kevin Bogardus <kbogardus@eenews.net>

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

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From: Daniel Lippman [dlippman@politico.com]

Sent: 1/23/2018 5:21:15 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: Re: At Superfund sites, Scott Pruitt could flip his industry-friendly script

thanks Jahan!

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, January 23, 2018 12:10:15 PM
To: Daniel Lippman; Anna Palmer; Jake Sherman

Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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From: Diaz, Kevin [Kevin.Diaz@chron.com]

Sent: 1/23/2018 5:45:53 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: Re: At Superfund sites, Scott Pruitt could flip his industry-friendly script

Just awful.

Declare Philly a Superfund sight!

Kevin Diaz

Houston Chronicle/Hearst Newspapers

Email: kevin.diaz@chron.com

Office: 202-263-6411

Mobile: Ex. 6

Twitter: @DiazChron

Sent from my iPhone

On Jan 23, 2018, at 12:18 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Kevin -

Day 2 mourning is similar to Day 1 mourning. A brutal defeat.

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 1/23/2018 7:23:35 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Dourson's departure

Then why didn't the president renominate him and call for the GOP-controlled Senate confirm him?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, January 23, 2018 2:21 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Subject: RE: Dourson's departure

Here is the research to back-up my statement regarding his work.

Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology, the Academy of Toxicological Sciences, and the Society for Risk Analysis. "President Donald J. Trump announced his intention to nominate Dr. Michael Dourson of Ohio to be head EPA's chemical and pesticides office. Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine. He founded the nonprofit Toxicology Excellence for Risk Assessment and worked at the U.S. Environmental Protection Agency, where he won four medals. Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation. In addition, to serving on numerous government panels, he is also a member on the editorial board of three toxicology journals." (EPA Press Release, 07/17/17)

Dr. Michael Dourson founded the nonprofit risk organization called Toxicology Excellence for Risk Assessment. "The nonprofit risk organization that Dr. Michael Dourson founded, Toxicology Excellence for Risk Assessment - TERA, has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Sixty-seven percent of Dr. Dourson's peer reviewed publications was sponsored by government or self-sponsored. TERA, an independent non-profit organization, does work to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work. An additional ten to twenty percent of TERA's effort is pro bono. Dr. Dourson testified as a scientific expert on three different occasions for plaintiffs suing industry about the devastating health effects that could occur from exposures to TCE, hydrogen sulfide and pesticides."

Dourson Helped 130 Bay Area Families Reach A Settle Due To Pollution Committed By A Railroad Company.

"My experience with Dr. Dourson dates back a few years when I was pursuing a lawsuit in California. In my case, 130 homes in an area outside the San Francisco were affected by TCE from a nearby rail line. When I began looking for an expert witness, I was quickly referred to Dr. Dourson as having the necessary background and experience in this area through his prior experience, as well as his work at the University of Cincinnati and through his non-profit organization, TERA. In my case, and for the 130 homeowners and families involved, Dr. Douson, provided necessary expert testimony demonstrating the risks and effects of TCE contamination to the properties involved and their occupants. Dr. Dourson's work resulted in significant settlements with the railroad and related property owners due to the risk inherent in exposure to the TCE vapors." (Richard Bowles, Letter To Senate EPW Committee, 11/07/17)

According to Cincinnati's ABC Affiliate, Dourson's pro-bono found the mystery of what was killing animals,

sickening children on a property outside of Cincinnati. https://www.youtube.com/watch?v=epwdtcl-zmk&feature=youtu.be

Additional Information ...

National Institutes of Health (NIH), International Toxicity Estimates for Risk (ITER):

https://toxnet.nlm.nih.gov/newtoxnet/iter.htm

University of Cincinnati Risk Science Center: https://med.uc.edu/eh/centers/rsc
Alliance for Risk Assessment: https://med.uc.edu/eh/centers/rsc/risk-resources/ara

Occupational Alliance for Risk Science: https://med.uc.edu/eh/centers/rsc/risk-resources/oars

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Subject: RE: Dourson's departure

Thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, January 23, 2018 2:11 PM **To:** Biesecker, Michael <MBiesecker@ap.org>

Cc: Press < <u>Press@epa.gov</u>> **Subject:** RE: Dourson's departure

"Dr. Michael Dourson is a highly qualified scientist who worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, and performed pro-bono work that saved a family near Cincinnati - in addition, his expertise on TCE helped 130 families near San Francisco. We wish him continued success in his future endeavors." EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, January 23, 2018 1:54 PM
To: Wilcox, Jahan < wilcox, jahan@epa.gov>

Cc: Press < <u>Press@epa.gov</u>> **Subject:** Dourson's departure

Jahan,

Please provide comment on Michael Dourson's departure from EPA.

Thanks,

Michael

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 1/5/2018 4:42:43 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: 2017 Superfund NPL deletions

Will add. Thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 05, 2018 11:20 AM

To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** RE: 2017 Superfund NPL deletions

On-the-record statement: "In 2016, President Obama's EPA cleaned-up two Superfund sites, but rather than cherry-pick individual years, it would only be fair to judge us upon the completion of our tenure. Under Administrator Pruitt's leadership, we've completed the cleanup of 7 toxic land sites and this is just the beginning." — EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:34 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: 2017 Superfund NPL deletions

We have moved our story. We can update when you provide comment.

Again, the main question:

Please provide on-the-record comment regarding any specific action or change in EPA's NPL delisting procedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, January 05, 2018 10:30 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: 2017 Superfund NPL deletions

Hi Michael – Can you please explain how the release is taking full credit for the delistings of these seven sites? Thank you – Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:00 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: 2017 Superfund NPL deletions

Pinging again. We plan to publish soon.

From: Biesecker, Michael

Sent: Friday, January 05, 2018 8:46 AM

To: Bowman, Liz < Bowman.Liz@epa.gov >; 'Wilcox, Jahan' < wilcox.jahan@epa.gov >

Subject: 2017 Superfund NPL deletions

Liz, Jahan,

Following your release from Tuesday on the "significant improvement" in the number of deletions from the NPL list between 2016 and 2017, AP has gone back and looked at the numbers of deletions since 2001.

As you are likely aware, 2016 was the lowest year for deletions under Obama. Over the full eight years, EPA averaged better than 10 deletions a year. Under Bush, there were on average more than 17 deletions each year.

Though EPA's media release this week credited Administrator Pruitt's leadership with tripling the number of sites deleted, records show that construction/remediation work at all seven sites was completed before he was confirmed at the agency. Filings from the Federal Register show EPA announced its move to withdraw four of the seven sites in public announcements dated in 2016. The planned deletions of two others were announced prior to Pruitt's May 22 directive establishing his Superfund Task Force.

Please provide on-the-record comment regarding any speciffic action or change in EPA's NPL delisting proceedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

Thanks,

Michael



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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

 Twitter: @mbieseck
 T 202-641-9445

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 M Ex. 6

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 1/5/2018 5:32:17 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: GAO review of threat to Superfund sites from natural disasters

Got it.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 05, 2018 12:28 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: GAO review of threat to Superfund sites from natural disasters

Thanks. You have our statement: **"GAO has agreed to study how prepared Superfund sites are for natural disasters and it would only be prudent to comment on their report after it's finished."** – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 12:24 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: RE: GAO review of threat to Superfund sites from natural disasters

https://www.harris.senate.gov/imo/media/doc/GAO Superfund CC Letter Final.pdf

https://www.documentcloud.org/documents/4344039-GAO-Superfund-Report-Acceptance-1.html

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, January 05, 2018 12:13 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: GAO review of threat to Superfund sites from natural disasters

I'm looking, but can you send me GAO's announcement?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 11:49 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: GAO review of threat to Superfund sites from natural disasters

Liz, Jahan,

Please provide comment on GAO's announcement that they will review the risks to human health posed to Superfund sites by natural disasters.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org
Twitter: @mbieseck

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From: Block, Molly [block.molly@epa.gov]

Sent: 12/13/2017 6:32:46 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: APPROVAL: Pruitt in Paris/Morocco

From: Bowman, Liz

Sent: Wednesday, December 13, 2017 1:32 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Hewitt, James < hewitt.james@epa.gov>; Abboud, Michael < abboud.michael@epa.gov>; Block, Molly

<blook.molly@epa.gov>

Subject: Re: APPROVAL: Pruitt in Paris/Morocco

Good

Sent from my iPhone

On Dec 13, 2017, at 1:31 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Liz - can you approve

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:19 PM

To: Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>

Subject: FW: APPROVAL: Pruitt in Paris/Morocco

Importance: High

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:18 PM **To:** Greenwalt, Sarah <greenwalt.sarah@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>; Ferguson, Lincoln < ferguson.lincoln@epa.gov>; Hupp, Millan

<hupp.millan@epa.gov>

Subject: FW: APPROVAL: Pruitt in Paris/Morocco

Importance: High

Sarah -

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 1:08 PM

To: Jackson, Ryan <<u>jackson.ryan@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

From: Jackson, Ryan

Sent: Wednesday, December 13, 2017 12:59 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: RE: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Wednesday, December 13, 2017 11:53 AM

To: Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Subject: APPROVAL: Pruitt in Paris/Morocco

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost \$17,597.49 and a total cost of at least \$39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael

Sent: Tuesday, December 12, 2017 1:30 PM **To:** 'Wilcox, Jahan' < <u>wilcox.jahan@epa.gov</u>>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, December 12, 2017 12:34 PM **To:** Biesecker, Michael < MBiesecker@ap.org>

Cc: Press < Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, December 12, 2017 12:09 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press

<Press@epa.gov>

Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael

Sent: Monday, December 11, 2017 2:41 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >; Press

<Press@epa.gov>

Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/18/2017 6:00:28 PM

To: Greaves, Holly [greaves.holly@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: APPROVAL: Superfund sites in flood zones

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Monday, December 18, 2017 12:58 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Falvo, Nicholas

<falvo.nicholas@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Hewitt, James < hewitt.james@epa.gov>; Block, Molly < block.molly@epa.gov>; Daniell, Kelsi

<daniell.kelsi@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Subject: APPROVAL: Superfund sites in flood zones

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: Superfund sites in flood zones

Liz, Jahan,

The Associated Press has developed an updated list of 327 Superfund sites across the US that are currently on the National Priorities List that are located in FEMA-mapped flood zones or in areas NOAA has mapped as potentially vulnerable to sea level rise caused by climate change.

While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael



Michael Biesecker

Reporter mbiesecker@ap.org

Twitter: @mbieseck Public Key ASSOCIATED PRESS

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 12/18/2017 11:54:54 PM

To: Biesecker, Michael [MBiesecker@ap.org]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Julie and Michael ...

Hi Michael – Our on the record statements are below. Thank you – Liz

"We can't address a report that the Associated Press refuses provide for EPA experts to review," EPA spokesperson Liz Bowman

"Despite fear-mongering from the Associated Press, not a single dollar has actually been eliminated, as Congress still hasn't passed a budget." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 6:34 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Julie and Michael ...

Liz,

We're not inclined to give you AP's full analysis pre-publication, but essentially we took EPA's NPL list and cross referenced it with FEMA flood maps and NOAA maps on predicted sea-level rise. EPA did a similar study in 2012, and we've updated that data. Of the 327 sites on our list, 250 are on the EPA's 2012 list, so you already have those. As you likely remember, some of the sites that flooded in Houston during Hurricane Harvey were on that 2012 list.

We also used U.S. Census data to look at population demographics within a one mile radius of the low-lying sites, which is a similar methodology to what EPA uses when assessing potential human impacts from Superfund sites. We're not sure why you would want us to run that by HUD or BLS, but maybe you can explain further.

- The AP found that of the 327 sites vulnerable to flooding and sea-level rise, roughly two-thirds are located in 100-year flood zones, where the chances of flooding each year is 1 percent.
- Forty nine sites are not in flood zones, but are close enough to the sea to fall within the boundaries of a one meter or 1.5 meter sea-level rise as estimated by the NOAA.
- Superfund sites most vulnerable to major storms, climate change and sea-level rise are in areas where the community is proportionally more African-American, Hispanic and low-income than the sites located outside of flood zones.

But the main question we're hoping EPA will address is the contrast between the Obama administration, which studied this issue and issued recommendations that considered climate change impacts in prioritizing sites for remediation, and the Trump administration, which does not mention climate change or flood risk in the Superfund task force recommendations released a couple months ago. Did the EPA's priority list released by Administrator Pruitt last week take future flood risk or sea level rise into account? If so, please explain how?

The proposed Trump budget cuts for EPA over which Jahan accused AP of "fear mongering" are not really a central element of what we're writing about. So if that's the only quote you guys want to provide, we'll include it, but it will seem out of place given the context of the story.

Michael

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Monday, December 18, 2017 5:10 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: Julie and Michael ...

Please provide us with which exact risk, at what sites, and what report/analysis you are citing, so that we can send it to the appropriate experts to review. When you provide us the report you refer to, we will be happy to have EPA staff with the appropriate expertise take a detailed review and provide their expert analysis of your internal numbers. Also, we assume you are reaching out to HUD, and the Bureau of Labor and Statistics to confirm your numbers.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 5:04 PM **To:** Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>> **Cc:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: RE: Julie and Michael ...

Just to confirm, you guys are declining to comment on the increased risk associated with potential flooding at Superfund sites resulting from climate change, and it's absence from the Superfund Task Force report and recommendations?

From: Biesecker, Michael

Sent: Monday, December 18, 2017 1:59 PM
To: 'Wilcox, Jahan' < wilcox.jahan@epa.gov >
Cc: Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Julie and Michael ...

Jahan,

The focus on the story is not necessarily on the White House's proposed cuts to the Superfund program, but more a question of whether EPA is currently acknowledging or planning for the increased risk associated with potential flooding at these sites resulting from climate change. Could you please provide response to that specific issue?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, December 18, 2017 1:18 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Julie and Michael ...

Here's our on-the-record statement:

"Despite fear-mongering from the Associated Press, not a single dollar has actually been eliminated, as Congress still hasn't passed a budget." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, December 18, 2017 12:14 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: Superfund sites in flood zones

Liz, Jahan,

The Associated Press has developed an updated list of 327 Superfund sites across the US that are currently on the National Priorities List that are located in FEMA-mapped flood zones or in areas NOAA has mapped as potentially vulnerable to sea level rise caused by climate change.

While the Obama EPA studied this issue in 2012 and included it in its 2014 climate adaptation plan, is the increased risk for flooding at low-lying Superfund sites now considered a priority when choosing which sites to prioritize for remediation? There is no mention of climate change, seal-level rise or storm-caused flooding anywhere in the Superfund task force report released over the summer, and many of the Obama-era plans have been removed from EPA's website (except in the archived version).

AP data analysis show that about 2 million people live within a mile of a Superfund site located in a 100-or-500-year flood zone, and that most of those people are poor and minority. Does EPA believe cuts to its environmental justice office budget will hinder the agency's ability to protect the public health of these groups?

Please provide on the record response for publication.

Thanks,

Michael



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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 1/5/2018 3:58:53 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: 2017 Superfund NPL deletions

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:34 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: 2017 Superfund NPL deletions

We have moved our story. We can update when you provide comment.

Again, the main question:

Please provide on-the-record comment regarding any specific action or change in EPA's NPL delisting procedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, January 05, 2018 10:30 AM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: RE: 2017 Superfund NPL deletions

Hi Michael – Can you please explain how the release is taking full credit for the delistings of these seven sites? Thank you – Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, January 5, 2018 10:00 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: 2017 Superfund NPL deletions

Pinging again. We plan to publish soon.

From: Biesecker, Michael

Sent: Friday, January 05, 2018 8:46 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Subject: 2017 Superfund NPL deletions

Liz, Jahan,

Following your release from Tuesday on the "significant improvement" in the number of deletions from the NPL list between 2016 and 2017, AP has gone back and looked at the numbers of deletions since 2001.

As you are likely aware, 2016 was the lowest year for deletions under Obama. Over the full eight years, EPA averaged better than 10 deletions a year. Under Bush, there were on average more than 17 deletions each year.

Though EPA's media release this week credited Administrator Pruitt's leadership with tripling the number of sites deleted, records show that construction/remediation work at all seven sites was completed before he was confirmed at the agency. Filings from the Federal Register show EPA announced its move to withdraw four of the seven sites in public announcements dated in 2016. The planned deletions of two others were announced prior to Pruitt's May 22 directive establishing his Superfund Task Force.

Please provide on-the-record comment regarding any speciffic action or change in EPA's NPL delisting proceedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

ASSOCIATED PRESS

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445

M Ex. 6

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/9/2018 3:26:52 PM

To: ConantC@cbsnews.com

Subject: FW: Requests for comment

From: Wilcox, Jahan

Sent: Saturday, April 7, 2018 8:36 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Requests for comment

https://mobile.twitter.com/realDonaldTrump/status/982770847046922240

Have a great night!

On Apr 6, 2018, at 9:25 PM, Wilcox, Jahan < wilcox.jahan@epa.gov > wrote:

We missed this inquiry. Can you please update your story with our statement:

On-The-Record ... "According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and his family. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." — EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News,

01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family." (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator.'" (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (Bloomberg, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Friday, April 6, 2018 12:20 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Cc: Press < Press@epa.gov >

Subject: RE: Requests for comment

Didn't get a response to these questions yesterday. I remain hopeful you will provide on the record comment about the reasons for the administrator's upsized security detail, which has included 20 full-time staff and additional officers that have rotated in from around the country. We are preparing to report on the total cost of the administrator's security precautions.

From: Biesecker, Michael

Sent: Thursday, April 05, 2018 1:06 PM

To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Requests for comment

Thanks for getting back to me Liz.

I also want to confirm something else with you: EPA has said previously on background that Administrator Pruitt's 24-hour security detail and use of premium class airfare were initiated following unprecedented threats to his security, including an incident last March where a person yelled at him in an airport to "Stop f-ing up the environment." Is all that accurate?

Also, without divulging specific details about his security arrangements, can you all provide any more on the nature of the threats against him? Have there been threats of violence? Have any investigations initiated into individuals who made threats against him?

We have searched state and federal court records and cannot find any instances of individuals being charged with communicating threats against Pruitt. Can you point me to any?

Thanks,

Michael

From: Bowman, Liz < Bowman.Liz@epa.gov > Sent: Thursday, April 05, 2018 12:55 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Requests for comment

Hi Michael – Here is our statement on Samantha: "After serving for over a year as EPA's head of policy, Samantha Dravis has decided to pursue other opportunities. She has been integral in the Agency's successful implementation of the President's environmental agenda and the Agency wishes her success in her future endeavors."

I understand that Kevin Minoli has a statement on the new memo, which he can share with you directly.

Thank you,

Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Thursday, April 5, 2018 8:38 AM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Cc: Press < Press@epa.gov>
Subject: Requests for comment

Jahan, Liz,

Please provide comment on the resignation of Samantha Dravis and Kevin Minoli's letter saying he wasn't given full info Pruitt's living arrangement before issuing the earlier memo you distributed.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker

Investigative Reporter mbiesecker@ap.org

Twitter: @mbieseck

<u>Public Key</u>

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1 Ex. 6

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/10/2018 3:33:33 PM

To: Emily Holden [eholden@politico.com]; Press [Press@epa.gov]

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

It's actually different.

From: Emily Holden [mailto:eholden@politico.com]

Sent: Tuesday, April 10, 2018 11:32 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

This is the same response from last week. Can you address your own internal reports suggesting the actual threats don't justify his security arrangements? Thank you.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Tuesday, April 10, 2018 11:31 AM

To: Emily Holden <eholden@politico.com>; Press <Press@epa.gov>

Subject: RE: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

"Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within OECA using information collected from the PSD, EPA's Office of Homeland Security, and Inspector General. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." — EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in

fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator." (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (<u>Bloomberg</u>, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (<u>Bloomberg</u>, 02/15/18)

From: Emily Holden [mailto:eholden@politico.com]

Sent: Tuesday, April 10, 2018 11:25 AM

To: Press < Press@epa.gov>

Subject: FW: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

Do you have a comment on this letter? Are these examples of threats all of what you have used to justify Pruitt's higher security level and expenses? Why doesn't the report list any threats during air travel? Would need a comment ASAP, thanks.

From: Davidson, Richard (Whitehouse) [mailto:Richard Davidson@whitehouse.senate.gov]

Sent: Tuesday, April 10, 2018 10:47 AM

To: Davidson, Richard (Whitehouse) < Richard Davidson@whitehouse.senate.gov>

Cc: Brennan, Christine (EPW) < Christine Brennan@epw.senate.gov>

Subject: "EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator"

Hi again, all,

We have another letter for you from Senators Whitehouse and Carper on Pruitt. This one calls into question the justification for Pruitt's 24-7 security detail and other security measures (first-class flights, security sweeps of EPA facilities, etc.) based on documents brought to our attention by a whistleblower. This information is being sent to Senator Barrasso calling for bipartisan oversight hearings by Senate EPW. The full details are below, but here are the key take-aways:

- Secret Service security threat assessments from 2017 and 2018 identify no "reports of behaviors of interest" against the administrator
- The Joint Terrorism Task Force reported in October there are "no known investigations underway concerning threats to Scott Pruitt"
- Pruitt's security detail's justification for the extensive security measures Pruitt enjoys relies largely on negligible threats such as non-violent protests, negative feedback about the Administrators actions or other First Amendment protected activity
- An internal EPA review of Pruitt's security justification concludes it "DOES NOT employ sound analysis or
 articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions
 regarding the protection posture for the Administrator"; and that "[u]sing all source intelligence resources, <u>EPA</u>
 Intelligence has not identified any specific credible direct threat to the EPA Administrator"
- The internal review also concludes that it has "not seen any analysis to indicate why the Administrator would be at any greater risk on a commercial airline than any other passenger, or why a trained EPA PSD member could not protect the Administrator in a different location on the aircraft [than in the business or first-class section]"

<u>Note:</u> Given that this information deals with details of threats to a cabinet official, we are not making the underlying reports available.

Full text of the Senators' letter is below. A PDF is attached.

April 10, 2018

The Honorable John Barrasso Chairman Senate Committee on Environment and Public Works 410 Dirksen Senate Office Building Washington, D.C. 20510

Dear Chairman Barrasso,

We write to request that the Senate Environment and Public Works (EPW) Committee immediately initiate bipartisan oversight hearings into the extent and justification of security spending for Environmental Protection Agency (EPA) Administrator Scott Pruitt. Documents provided to us by EPA official(s) suggest the agency has relied on questionable "threats" to the Administrator, including reports of non-violent protests, negative feedback about the Administrator's actions, or other First Amendment protected activity, to justify millions of dollars in additional security spending, including first-class air travel, as compared to his predecessors at the agency. These

non-public documents include security threat assessments from the United States Secret Service that identify no "reports of behaviors of interest" against Administrator Pruitt, and an internal EPA Intelligence Office report that disputes the Administrator's claims that the nature of the threats against him justify his expenditures. We are providing this information to you under confidential cover in an abundance of caution to protect any specific ongoing security efforts.

Administrator Pruitt has adopted numerous, unprecedented safety measures during his tenure at EPA: 24-7 security staffed by a detail of as many as 20 EPA officers, first-class flights ostensibly to more effectively protect the Administrator while travelling by air, and a security sweep of and biometric locks for the Administrator's office. The Associated Press reported this weekend that total security costs and associated travel expenses have already cost taxpayers \$3 million.^[1]

EPA spokesman Jahan Wilcox was quoted on April 6 as saying the Administrator and his family have faced an "unprecedented" number of death threats, a statement that was amplified the following day by President Trump who stated that "Scott Pruitt has received death threats because of his bold actions at EPA." [2] In its March 21, 2018 response to a February 15, 2018 letter from Senators Tom Carper and Gary Peters about the Administrator's first-class flights, EPA wrote that its Protective Security Detail (PSD) "has identified specific, ongoing threats associated with the Administrator's air travel" and has relied on assessments from EPA's Office of Inspector General (EPA OIG) that the Administrator is facing more security threats than his predecessor. These assertions do not appear to be consistent with the non-public EPA documents we have obtained and enclose here.

For example, one document we are providing to you is an October 17, 2017 memorandum from William Stull, Special Agent on the Administrator's PSD, to Pasquale Nino Perrotta, the PSD's Special Agent in Charge. The memo purports to summarize available threat information regarding Administrator Pruitt, claiming that the EPA OIG data showed 16 threats directed against the Administrator, a 400% increase over threats in the previous fiscal year against then-EPA Administrator Gina McCarthy. A closer look at the description of many of these threats cast doubt that they appropriately justify the kinds of security measures Mr. Pruitt has sought, as they include:

- Protestors attempting to disrupt a speech given by Mr. Pruitt at a closed event.
- A social media post in which an individual "stated he is not happy with some of the Administrator's policies and wanted to express his displeasure."
- A postcard sent to the Administrator stating "CLIMATE CHANGE IS REAL!!! We are watching you. For the sake of our planet, our children & our grandchildren, will you be a reasonable man? I repeat, we are watching you!"
- An email stating: "Hi, I am considering dumping the old paint I just scraped off of my home outside your office door on Tuesday."
- A letter addressed to the Administrator that did not include "overt threatening language" from an incarcerated individual.

Notably, none of the incidents listed in this report concerned air travel and the only threat to Administrator Pruitt currently being prosecuted by a United States Attorney's office was a threat made to him <u>and</u> his predecessor Gina McCarthy.

_

^[1] Michael Biesecker, "AP sources: EPA chief spent millions on security and travel," *The Associated Press*, April 7, 2018 https://www.apnews.com/e2fdc3fe88be432792817795a34fda46.

https://twitter.com/realDonaldTrump/status/982770847046922240?ref_src=twsrc%5Etfw&

ref_url=https%3A%2F%2Fwww.cnn.com%2F2018%2F04%2F07%2Fpolitics%2Ftrump-pruitt-epa-tweet%2Findex.html ^[3] We wrote to EPA on March 6, 2018, raising numerous concerns about Mr. Perrotta, including potential self-dealing, and questioning his ability to run a security consulting business while employed at EPA. We also raised concerns about how Mr. Perrotta came to be Special Agent in Charge, which have been heightened in light of recent reporting by the New York Times that Mr. Perrotta's predecessor, Eric Weese, was removed from his position for when he "questioned Mr. Pruitt's desire to use flashing lights and sirens in his motorcade." *See* Eric Lipton, Kenneth P. Vogel, Lisa Friedman, "E.P.A. Officials Sidelined After Questioning Scott Pruitt," *New York Times*, April 5, 2018. We have not yet received a response from EPA to that letter.

The October 17 assessment also states that at the time there were "no known investigations underway concerning threats to Scott Pruitt" by the Joint Terrorism Task Force, and that an open-source review of social media uncovered "no evidence of a direct threat to the Administrator's life or physical well-being."

We have also obtained, and are providing to you, a document dated February 14, 2018, from EPA's Office of Homeland Security Intelligence Team titled "Preliminary Intelligence Enterprise Threat Assessment Review," which reviewed the PSD's October 17, 2017 memo. This memo concluded PSD's October 17 memo "*DOES NOT* employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the Administrator." (Emphasis in original.) The memo states that "[u]sing all source intelligence resources, **EPA Intelligence has not identified any specific credible direct threat to the EPA Administrator**." (Emphasis in original.)

The February 2018 memo describes repeated efforts by EPA Intelligence officials to tell EPA OIG and EPA's senior leadership that "the 'threat' to the Administrator was being inappropriately mischaracterized by the Protective Service Detail (PSD) and the OIG" and notes that EPA Intelligence has "not seen any analysis to indicate why the Administrator would be at any greater risk on a commercial airline than any other passenger, or why a trained EPA PSD member could not protect the Administrator in a different location on the aircraft [than in the business or first-class section]."

EPA's Intelligence Team requested from the United States Secret Service a "Direction of Interest Query" on February 21, 2017 and on February 22, 2018 for potential threats against Administrator Pruitt. Neither query returned any "reports of behaviors of interest directed toward EPA Administrator Pruitt." We have provided you both United States Secret Service reports with this letter.

It is hard to reconcile the public statements of EPA, and the President, with these internal and external assessments. It may be that the materials we have been provided are incomplete and that EPA has additional information that justifies its public position. However, another view is that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the Administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the Administrator himself or others in the agency. Either way, the EPW Committee has a responsibility to look into these matters.

As you review this information, we urge you to remind EPA of its obligations under the Whistleblowers Protection Act, as amended. In our view, the documents provided to us may constitute evidence of a "violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety." As such, any adverse personnel action against a person providing this information to Congress is prohibited, and it is in our shared interest that these rights be protected.

We thank you for your prompt attention to this matter, and look forward to working with you.

	Sincerely,
Thomas R. Carper United States Senator	Sheldon Whitehouse United States Senator
United States Senator	Onlied States Senator

cc: Arthur A. Elkins, Jr., Inspector General, Environmental Protection Agency

^[4] One role of this office "is to identify potential vulnerabilities, and to provide information and guidance to mitigate potential violent actions evolving from inappropriate communications and/or threats that are directed at EPA protected persons and facilities." Apparently it has been excluded from assessments and decision-making related to the Administrator's security. This suggests a breakdown of communication and coordination within EPA that should also be an area of inquiry by the EPW Committee. [5] 5 U.S.C. 2302(b)

Rich Davidson
Deputy Communications Director
(202) 228-6291 (office)
Ex. 6 (cell)

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/10/2018 7:12:52 PM

To: Danylak, Mike (EPW) [Mike_Danylak@epw.senate.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Quick question

Will call you

From: Danylak, Mike (EPW) [mailto:Mike_Danylak@epw.senate.gov]

Sent: Tuesday, April 10, 2018 3:11 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Quick question

Hey Liz and Jahan – quick question for you.

Trying to get more included from our quote on this letter. Michael Biesecker from AP wrote:

The CNN quote from November being distributed by EPA was made by a deputy IG and it is not clear he was expressing any sort of official finding on behalf of EPA IG Elkins. EPA OIG told us this week their review of the administrator's security spending and its underlying justifications is still ongoing.

Is there any anything to demonstrate that the "direct death threats" quote to CNN was from the OIG office? Just wanted to see. Thank you.

Mike Danylak

<u>EPW Committee</u> — Majority Personal Matters / Ex. 6

Seife v. EPA (1:19-cv-05190)

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/10/2018 7:13:36 PM

To: Danylak, Mike (EPW) [Mike_Danylak@epw.senate.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Quick question

On-The-Record ... "According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and his family. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats." – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you," Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family." (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator." (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull

Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (<u>Bloomberg</u>, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Danylak, Mike (EPW) [mailto:Mike_Danylak@epw.senate.gov]

Sent: Tuesday, April 10, 2018 3:11 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Quick question

Hey Liz and Jahan – quick question for you.

Trying to get more included from our quote on this letter. Michael Biesecker from AP wrote:

The CNN quote from November being distributed by EPA was made by a deputy IG and it is not clear he was expressing any sort of official finding on behalf of EPA IG Elkins. EPA OIG told us this week their review of the administrator's security spending and its underlying justifications is still ongoing.

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Mike Danylak

EPW Committee — Majority
Personal Matters / Ex. 6

Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP From:

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/10/2018 10:08:02 PM

To: Danylak, Mike (EPW) [Mike_Danylak@epw.senate.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: FW: Request for comment

FYI ...

From: Wilcox, Jahan

Sent: Tuesday, April 10, 2018 5:57 PM

To: 'Biesecker, Michael' <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>

Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Request for comment

EPA STATEMENT: "We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."

Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, April 10, 2018 5:21 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press < Press@epa.gov> Subject: Request for comment

Liz, Jahan,

Anything on the dismissal today of Mario Caraballo as deputy associate administrator of EPA's Office of Homeland Security? Sources confirm to AP that he authored the Feb. 14 assessment that concluded "EPA Intelligence has not identified any specific, credible, direct threat to the EPA administrator."

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Investigative Reporter mbiesecker@ap.org Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445

Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wemple, Erik [Erik.Wemple@washpost.com]

Sent: 1/11/2018 9:59:08 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Hill/AP Stories

Hi Jahan: Just checking again on this.

From: Wemple, Erik

Sent: Thursday, January 11, 2018 12:41 PM **To:** 'Wilcox, Jahan' <wilcox.jahan@epa.gov>

Subject: Hill/AP Stories

Hi Jahan: Hope the new year is going well.

Just writing to ask you about a situation: I have it on good authority that after the Associated Press checked with you folks about this story: https://apnews.com/242fd35342c34a41b2e2db69b64c44d1/EPA-chief-sweeps-office-for-bugs,-installs-high-tech-locks You folks tipped off The Hill to the same scoop: https://thehill.com/policy/energy-environment/365495-epa-chief-pruitt-had-office-swept-for-surveillance-bugs

I know that you folks have in the past disagreed with Biesecker's work, but what was the rationale for this? Are you concerned that news outlets will give you folks less warning in the future, based on this sort of experience?

Thanks for any consideration, as always.

Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP From:

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: 4/11/2018 9:46:30 PM Pace, Julie [JPace@ap.org] To: Subject: RE: Correction Request From EPA

Believe we resolved this with Matt.

Honestly, all I asked for was our statement to be included as the email traffic showed. To me that's a fair and easy ask. Michael said no. I looked through his story again and caught that he was reporting false information.

Have a good evening.

From: Pace, Julie [mailto:JPace@ap.org] Sent: Wednesday, April 11, 2018 5:09 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Daly, Matthew

<MDaly@ap.org>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Correction Request From EPA

Jahan – You said in your statement there was a personnel action taken. If you dispute that the action was a firing, you should be able to say what action you are in then referring to. We're not trying to be difficult here, but you're not providing any clarity on the situation.

Julie

From: Biesecker, Michael

Sent: Wednesday, April 11, 2018 5:03 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <!Pace@ap.org>; Daly, Matthew <<u>MDaly@ap.org</u>>; Feldman, Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov> Subject: RE: Correction Request From EPA

We are asking for clarification about what the personnel action taken against him was. If you decline to say, we will report that.

Also, I would like to request an interview with Ryan Jackson about this issue.

From: Wilcox, Jahan <wilcox.jahan@epa.gov> Sent: Wednesday, April 11, 2018 5:01 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Daly, Matthew < MDaly@ap.org>; Feldman, Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Correction Request From EPA

That is not accurate Michael. You reported that he wrote a memo and then said he was fired.

• "The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (The Associated Press, 04/11/18)

Julie and Carol, will AP be issuing a correction to Michael and Matt's story?

Again below is our on-the-record statement.

EPA STATEMENT ... "We do not comment on personnel matters. Mario Caraballo remains an EPA employee. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." – Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:55 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <!Pace@ap.org>; Daly, Matthew <<u>MDaly@ap.org</u>>; Feldman, Carole <CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Correction Request From EPA

Jahan,

The quote you provided last night in response to our request for comment about Carballo's reported dismissal says "the action today was based on a recommendation by the Office of Administration and Resources Management." What was that action?

Also, please provide on-the-record response to Chairman Gowdy's letter saying EPA has failed to provide the House oversight committee documents requested on Feb. 20.

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Wednesday, April 11, 2018 4:50 PM

To: Biesecker, Michael <<u>MBiesecker@ap.org</u>>; Pace, Julie <<u>JPace@ap.org</u>>; Daly, Matthew <<u>MDaly@ap.org</u>>; Feldman, Carole <<u>CFeldman@ap.org</u>>

Cc: Press <<u>Press@epa.gov</u>>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>> **Subject:** RE: Correction Request From EPA

He is an EPA employee. AP falsely reported that he was fired. Again, EPA is asking for a correction to Michael and Matt's story.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:45 PM

To: Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Pace, Julie <<u>!Pace@ap.org</u>>; Daly, Matthew <<u>MDaly@ap.org</u>>; Feldman, Carole <CFeldman@ap.org>

Cc: Press < Press@epa.gov >; Grantham, Nancy < Grantham.Nancy@epa.gov >; Bowman, Liz < Bowman, Liz@epa.gov >

Subject: RE: Correction Request From EPA

Jahan,

What is his current employment classification with EPA. Is he on unpaid leave?

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 11, 2018 4:41 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Pace, Julie < JPace@ap.org>; Daly, Matthew < MDaly@ap.org>; Feldman,

Carole < CFeldman@ap.org>

Cc: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Correction Request From EPA

Julie and Carol -

EPA is asking for a correction to Michael Biesecker and Matt Daly's story. The Associated Press falsely reported that Mario Caraballo was fired. That is completely false as he remains an EPA employee.

"The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

Here is a new statement and again we are asking for a correction regarding the line above.

EPA STATEMENT ... "We do not comment on personnel matters. Mario Caraballo remains an EPA employee. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." – Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:29 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Daly, Matthew <MDaly@ap.org>; Feldman,

Carole <<u>CFeldman@ap.org</u>>
Cc: Press <<u>Press@epa.gov</u>>
Subject: RE: Senate D's Presser

Jahan,

We can include a sentence saying EPA has denied any connection between the timing of the firing and word of the memo, but we see no need to run the same statement two days in a row.

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 11, 2018 4:23 PM

To: Biesecker, Michael <<u>MBiesecker@ap.org</u>>; Pace, Julie <<u>JPace@ap.org</u>>; Daly, Matthew <<u>MDaly@ap.org</u>>; Feldman,

Carole < CFeldman@ap.org>

Cc: Press <<u>Press@epa.gov</u>>
Subject: RE: Senate D's Presser

So since you included it yesterday, it's not worthy to be included today. Instead you can just print false information and exclude a statement from a career EPA official.

Again, if you are going to include this line: "The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

Then you should include this line: "We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." – Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Wednesday, April 11, 2018 4:18 PM To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: FW: Senate D's Presser

Jahan,

We included this same statement in AP's story yesterday.

Michael

From: Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>
Sent: Wednesday, April 11, 2018 3:55 PM
To: Daly, Matthew <<u>MDaly@ap.org</u>>
Subject: RE: Senate D's Presser

Can you please include our statement from our career EPA employee in response to this line: "The career staffer who wrote the February memo questioning Pruitt's security costs, Mario Caraballo, was fired Tuesday shortly after the existence of the memo became public." (Associated Press, 04/11/18)

ON-THE-RECORD EPA STATEMENT: "We do not comment on personnel matters. The action today was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports." — Donna Vizian, EPA Principal Deputy Assistant Administrator

From: Wilcox, Jahan

Sent: Wednesday, April 11, 2018 11:52 AM
To: 'Daly, Matthew' < MDaly@ap.org >
Subject: FW: Senate D's Presser

From: Wilcox, Jahan

Sent: Wednesday, April 11, 2018 10:58 AM To: 'Mascaro, Lisa' < LMascaro@ap.org>

Subject: Senate D's Presser

If you are reporting on today's press conference with Senate Minority Leader Chuck Schumer, Senator Udall, Senator Carper, Senator Merkley, Senator Bennet and Senator Markey, we wanted to pass along the following statement:

"From advocating to leave the Paris Accord, working to repeal Obama's Clean Power Plan and WOTUS, declaring a war on lead and cleaning up toxic Superfund sites, Administrator Pruitt is focused on advancing President Trump's agenda of regulatory certainty and environmental stewardship." — EPA spokesman, Jahan Wilcox

Off-the-record, it might be worth asking Senate Minority Leader Schumer what he thinks of Pruitt's efforts to combat lead in drinking water in New York City. Or for Senator Bennet and Senate Udall their thoughts on Pruitt's work regarding Gold King Mine. In terms of Senator Merkley if he has an opinion on Pruitt's work on reaching an agreement to finally clean up the toxic Portland Harbor Superfund site.

BACKGROUND ...

The New York Post reported Scott Pruitt called for a 'coordinated' response to NYC lead crisis. "EPA Administrator Scott Pruitt called for a 'coordinated' response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. 'We each play a role. I'd love to see steps taken at the local level to invest."" (The New York Post, 03/21/18)

Oregon Public Broadcasting reported that Scott Pruitt lead the charge to clean up Portland Harbor Superfund site. The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor Superfund site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the plans will deliver some but not all of the data needed to track and clean up widespread contamination of a 10-mile stretch of the Willamette River. ... EPA Administrator Scott Pruitt released a statement saying he's proud of the progress the agency has made since releasing a final cleanup plan for the Portland Harbor site early this year. 'We are committed to keeping up the momentum,' Pruitt said. 'By cooperating with the state, the tribal nations, other federal partners and the responsible parties, we will keep the cleanup moving toward our shared goals of reducing risks to people and the environment, and returning the Lower Willamette to a healthier and more vital working waterway for all.'" (Oregon Public Broadcasting, 12/20/17)

The Newark Star-Ledger reported Scott Pruitt discussed efforts to make cleaning up Superfund sites a priority to advance the Agency's core mission. "The Environmental Protection Agency plans to step up efforts to get companies who dumped toxic waste at New Jersey's Superfund sites to pay to clean them up, Administrator Scott Pruitt said. Pruitt on Monday blamed a lack of urgency... New Jersey has 114 designated Superfund sites, the most in the nation, included three of Pruitt's 21 highest-priority locations." (NJ Advance Media, 03/21/18)

South Coast Today reported that Scott Pruitt is working clean-up the New Bedford Harbor in Massachusetts.

"New Bedford Harbor has been identified by the U.S. Environmental Protection agency as one of two Superfund sites in New England with the greatest potential for redevelopment and commercial use. ... additional staff time and attention could be devoted to the sites, EPA spokeswoman Kelsey Dumville said in an interview. ... In New Bedford, the EPA is working with the city and state to plan reuse of the EPA's shoreline facilities after the cleanup. Other work includes coordinating the cleanup with the city's Riverwalk and integrating navigational dredging with the construction of port facilities. As of December, approximately 425,000 cubic yards of PCB-contaminated sediment had been removed from the upper harbor. The EPA estimates the majority of the cleanup will be done within five years." (South Coast Today, 01/17/18)

The Denver Post reported that Scott Pruitt went to Colorado and said EPA "walked away" from Colorado after Gold King spill, commits to making Silverton clean-up a priority. "Environmental Protection Agency chief Scott Pruitt says his agency 'walked away' from Colorado after the Gold King Mine spill under the Obama administration, vowing Friday to make a federal cleanup of the Gold King and other abandoned mines around Silverton a priority. He also said he will re-evaluate rejected damage claims — totaling hundreds of millions of dollars — made in the disaster's wake. Pruitt visited the site Friday with a delegation of Colorado's top politicians on the eve of the two-year anniversary of the EPA-triggered disaster. He said that he planned to meet with private citizens impacted by the spill, as well as local leaders, to get first-hand information on his agency's response. I've already sent out a letter to all the claimants who have filed claims asking them to resubmit," Pruitt told The Denver Post in a phone interview ahead of his visit to the Gold King. "Some of those folks I'm sure I'll meet today, and I'm looking forward to speaking with them directly. Farmers and ranchers, business owners, the recreational activities that occur on the Animas River — all were impacted, and from my perspective it was a wrong that we need to make right."" (The Denver Post, 08/04/17)

The <u>Albuquerque Journal</u> reported that Scott Pruitt is finishing claims surrounding the Gold King Mine spill "Environmental Protection Agency Administrator Scott Pruitt said Monday that the federal government is close to finishing its assessment of roughly 400 claims for financial damages stemming from the 2015 Gold King Mine spill, which dumped toxic chemicals into waters in New Mexico, Colorado and Utah, and final recommendations could be ready by the end of the month." (<u>The Albuquerque Journal</u>, 03/19/18)

St. Louis Post Dispatch reported Scott Pruitt discussed the ongoing cleanup process at the West Lake Landfill Superfund site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a 'sound, solid' solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents. 'What is really exciting about St. Louis is at this point, in five years the uranium will be removed,' Pruitt said, in reference to the radioactive material left over from World War II's atomic bomb creation. 'Which I think is amazing in light of taking 28 years to just make a decision.'" (St. Louis Post Dispatch, 02/01/18)

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: **Ex. 6**Work Email: wilcox.jahan@epa.gov

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From: Baptist, Erik [baptist.erik@epa.gov]

Sent: 11/15/2017 2:19:13 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Beck, Nancy [beck.nancy@epa.gov];

Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Schwab, Justin

[schwab.justin@epa.gov]

Subject: RE: EPA court filing on chlorpyrifos

I'll get it to you shortly.

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Wilcox, Jahan

Sent: Wednesday, November 15, 2017 9:18 AM

To: Baptist, Erik <baptist.erik@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin

<Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Also can someone help me find a link or PDF to the actual filing.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Baptist, Erik

Sent: Tuesday, November 14, 2017 3:28 PM

To: Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Beck, Nancy <<u>Beck.Nancy@epa.gov</u>>;

Yamada, Richard (Yujiro) <<u>yamada.richard@epa.gov</u>>; Fotouhi, David <<u>Fotouhi.David@epa.gov</u>>; Schwab, Justin

<Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

My proposed statement is below:

Deliberative Process / Ex. 5

Erik Baptist

Senior Deputy General Counsel Office of General Counsel U.S. Environmental Protection Agency 1200 Pennsyvlania Ave., NW Washington, DC 20460

Seife v. EPA (1:19-cv-05190)

12.2.2019

ED_002240A_00187443-00001

(202) 564-1689 baptist.erik@epa.gov

From: Bowman, Liz

Sent: Tuesday, November 14, 2017 3:07 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro)

<yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab,

Justin <Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Eric, can you please edit the following:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Tuesday, November 14, 2017 2:53 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro)

<yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab,

Justin <Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Any updates?

From: Bowman, Liz

Sent: Tuesday, November 14, 2017 1:03 PM

To: Beck, Nancy < <u>Beck.Nancy@epa.gov</u>>; Yamada, Richard (Yujiro) < <u>yamada.richard@epa.gov</u>>; Baptist, Erik

<br

Cc: Wilcox, Jahan < wilcox.jahan@epa.gov > **Subject:** FW: EPA court filing on chlorpyrifos

Do you all have any information/background here?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, November 14, 2017 1:01 PM

To: Wilcox, Jahan < wilcox.jahan@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: EPA court filing on chlorpyrifos

Liz, Jahan,

In a court filing yesterday, EPA has asked a judge to delay by two years the Dec. 31 deadline to complete risk assessments for the impacts of chlorpyrifos, diazinon and malathion on endangered species. As AP reported in April, the manufactures for the pesticides, including Dow Chemical, asked Administrator Pruitt to "set aside" the findings of

federal scientists who determined the pesticides were potentially harmful to about 1,800 critically threatened or endangered species.

Please provide on the record comment on EPA's reasoning as to why the requested 2-year delay is justified.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck Public Key 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

T 202-641-9445 M **Ex. 6**

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Baptist, Erik [baptist.erik@epa.gov]

Sent: 11/15/2017 2:51:04 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Beck, Nancy [beck.nancy@epa.gov]
Subject: FW: EPA court filing on chlorpyrifos

Attachments: WILDLIFE-#301939-v1-NCAP_v__NMFS_-_stamped_motion_to_amend.pdf; WILDLIFE-#301941-v1-

NCAP_v_NMFS_-_stamped_Echeverria_declaration.pdf

Jahan,

In case my email was not clear, EPA's declaration is also a public document so the AP might still highlight it and its contents.

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Baptist, Erik

Sent: Wednesday, November 15, 2017 9:25 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Beck, Nancy <beck.nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Schwab, Justin

<schwab.justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Jahan,

Attached please find NMFS's motion for more time. I am also attaching EPA's declaration in support of the motion for your awareness.

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Wilcox, Jahan

Sent: Wednesday, November 15, 2017 9:18 AM

To: Baptist, Erik <<u>baptist.erik@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Beck, Nancy <<u>Beck.Nancy@epa.gov</u>>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin

<Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Also can someone help me find a link or PDF to the actual filing.

Deliberative Process / Ex. 5

From: Baptist, Erik

Sent: Tuesday, November 14, 2017 3:28 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >; Beck, Nancy < Beck.Nancy@epa.gov >;

Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin

<<u>Schwab.Justin@epa.gov</u>>

Subject: RE: EPA court filing on chlorpyrifos

My proposed statement is below:

Deliberative Process / Ex. 5

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Bowman, Liz

Sent: Tuesday, November 14, 2017 3:07 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro)

<yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab,

Justin <Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Eric, can you please edit the following:

Deliberative Process / Ex. 5

From: Wilcox, Jahan

Sent: Tuesday, November 14, 2017 2:53 PM

To: Bowman, Liz < Bowman, Liz@epa.gov>; Beck, Nancy < Beck, Nancy@epa.gov>; Yamada, Richard (Yujiro)

<yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab,

Justin <Schwab.Justin@epa.gov>

Subject: RE: EPA court filing on chlorpyrifos

Any updates?

From: Bowman, Liz

Sent: Tuesday, November 14, 2017 1:03 PM

To: Beck, Nancy < Beck.Nancy@epa.gov">Baptist, Erik Baptist, Erik Baptist.erik@epa.gov > <a href="mailto:ba

Cc: Wilcox, Jahan < wilcox.jahan@epa.gov > **Subject:** FW: EPA court filing on chlorpyrifos

Do you all have any information/background here?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Tuesday, November 14, 2017 1:01 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: EPA court filing on chlorpyrifos

Liz, Jahan,

In a court filing yesterday, EPA has asked a judge to delay by two years the Dec. 31 deadline to complete risk assessments for the impacts of chlorpyrifos, diazinon and malathion on endangered species. As AP reported in April, the manufactures for the pesticides, including Dow Chemical, asked Administrator Pruitt to "set aside" the findings of federal scientists who determined the pesticides were potentially harmful to about 1,800 critically threatened or endangered species.

Please provide on the record comment on EPA's reasoning as to why the requested 2-year delay is justified.

Thanks,

Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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From: Baptist, Erik [baptist.erik@epa.gov]

Sent: 11/15/2017 9:19:21 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Please update

Almost done.

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Wilcox, Jahan

Sent: Wednesday, November 15, 2017 4:16 PM

To: Baptist, Erik <baptist.erik@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Please update

Any updates?

From: Baptist, Erik

Sent: Wednesday, November 15, 2017 1:35 PM
To: Bowman, Liz < Bowman, Liz@epa.gov >
Cc: Wilcox, Jahan < wilcox, jahan@epa.gov >

Subject: RE: Please update

Working on a pressing issue, but will turn my attention to it shortly.

Erik Baptist

Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Bowman, Liz

Sent: Wednesday, November 15, 2017 12:52 PM

To: Baptist, Erik < baptist.erik@epa.gov > Cc: Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: FW: Please update

Can you all help here? This article is so biased, in trying to loop us into something as simple as requesting for the previous administration staff to have more time, and they are using it as a hook to continue to claim a nefarious motive that doesn't exit.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, November 15, 2017 12:48 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz < Bowman, Liz@epa.gov>

Subject: RE: Please update

Jahan,

AP did not report that EPA was a "party" to the case. We reported that EPA is involved in the case, which is accurate. As stated in the DOJ motion filed last week and the declaration filed EPA's Director of the Environmental Fate and Effects Division, Marietta Echeverria, the agency was obligated to play a key role in facilitating the National Marine Fisheries Service assessment called for in the 2014 settlement. The sentence accurately describes EPA's statutory responsibilities to evaluate the effects of pesticides on threatened or endangered species and prepare the biological evaluations provided to the NMFS as part of the settlement.

In her declaration, Echeverria also states EPA's support for the requested delay:

Given this document and the direction from Congress clearly indicating that the agencies should ensure that opportunities exist for public input on the measures the Services may put forth in biological opinions addressing pesticide registration actions, EPA believes that NMFS should have the time necessary to provide EPA with a draft biological opinion in order to allow EPA to publish the draft opinion for public comment and for NMFS to carefully consider the comments it receives. EPA believes, however, that the agencies will reasonably need an additional year before EPA publishes the draft NMFS biological opinion for public comment.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, November 15, 2017 12:14 PM

To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Please update

The 4th sentence of your story is inaccurate. We are not a party in this case.

On The Record Statement: "This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected." – EPA spokesman, Jahan Wilcox

Associated Press

https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides

Trump administration seeks to delay findings on pesticides

By Michael Biesecker, 11/14/17

WASHINGTON (AP) — President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species.

The request filed before a federal judge last week comes after Dow Chemical Co. and two other pesticide makers asked the government to set aside research by federal scientists that shows organophosphates are harmful to about 1,800 critically threatened or endangered species.

Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year. **The Environmental Protection Agency, which is also involved in the case,** is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a \$1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

It is the latest example of the Trump administration seeking to block or delay environmental rules at the behest of the industry.

EPA Administrator Scott Pruitt in March reversed an Obama-era effort to bar spraying chlorpyrifos on fruits and vegetables after peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains.

Government scientists also compiled an official record running more than 10,000 pages indicating the three organophosphates pose a risk to nearly every endangered species they studied. Before the change in administration, federal regulators had been expected to issue new limits on how and where the three pesticides can be used.

Organophosphorus gas was originally developed as a chemical weapon before World War II. Dow, based in Midland, Michigan, has been selling chlorpyrifos for spraying on citrus fruits, apples, cherries and other crops since the 1960s. It is among the most widely used agricultural pesticides in the United States, with Dow selling about 5 million pounds (2.3 million kilograms) domestically each year.

A coalition of environmental groups has fought in court for years to spur the federal government to more closely examine the risk posed to humans and endangered species by pesticides, especially organophosphates.

"It's appallingly clear that the pesticide industry is now essentially running Trump's EPA," said Lori Ann Burd, environmental health director at the Center for Biological Diversity. "Rather than following the science and the law, the agency is turning its back on endangered species across the country."

###

Jahan Wilco	ΟX	
EPA		
Strategic Co	mmunication	s Advisor
Work Cell:	Ex. 6]
Work Email	: wilcox.iahan	@epa.gov

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From: Biesecker, Michael [MBiesecker@ap.org]

Sent: 10/17/2017 7:23:18 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: Do you guys want to add anything?

WASHINGTON (AP) — A Republican senator says he may seek to block President Donald Trump's nominees for key posts at the Environmental Protection Agency unless the administration backs off a proposed reduction in the volume of biofuels blended into gasoline and diesel.

Sen. Chuck Grassley said in a phone call with lowa reporters Tuesday he plans to speak with EPA Administrator Scott Pruitt about the Renewable Fuel Standard. Pruitt has proposed targets for 2017 and 2018 set slightly below current levels following a push by oil companies to ease mandates for using ethanol from corn and soybeans.

Grassley said EPA's proposed rollback would result in job losses in his home state. Pruitt's position is in contrast to the staunch support for the biofuel industry Trump pledged as a presidential candidate last year.



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Michael Biesecker Reporter mbiesecker@ap.org Twitter: @mbieseck

r: @mbieseck

<u>Public Key</u>

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Bowman, Liz [Bowman.Liz@epa.gov]

Sent: 8/28/2017 7:42:03 PM

To: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: FW: OIG audit of Pruitt travel

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 3:37 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy

<graham.amy@epa.gov>

Subject: RE: OIG audit of Pruitt travel

I did check into that over the weekend after EPA issued its release. Our understanding is that this has been done numerous times in the wake of prior gulf hurricanes, and similar waivers were issued under both the Obama and Bush administrations. The summer fuel requirements were already set to expire in just a couple weeks, on Sept. 15. Given that it's pretty routine, we elected not to write.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Monday, August 28, 2017 3:32 PM

To: Wilcox, Jahan; Biesecker, Michael; Graham, Amy

Subject: RE: OIG audit of Pruitt travel

Assuming you are also writing about the fuel waivers we quickly provided to help ensure that emergency vehicles don't experience fuel shortages during the storm, and all the hard work that EPA Region 6 did and is doing with regard to providing vital services to the people of Texas in light of this devastating and long-lasting storm.

From: Wilcox, Jahan

Sent: Monday, August 28, 2017 3:23 PM

To: Biesecker, Michael < MBiesecker@ap.org>; Bowman, Liz < Bowman.Liz@epa.gov>; Graham, Amy

<graham.amy@epa.gov>

Subject: RE: OIG audit of Pruitt travel

Adding Amy Graham. I'm working on your other inquiry.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 3:19 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >; Wilcox, Jahan < wilcox.jahan@epa.gov >

Subject: OIG audit of Pruitt travel

Liz, Jahan,

Also writing on OIG launching audit of Administrator Pruitt's travel to Oklahoma. EPA response?

Thanks,



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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T 202-641-9445

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